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July 19, 1996 - Issue 29: Through	June 30, 1996
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June 18, 1996	June 25, 1996	27	July 5, 1996	Dec. 23, 1996	Dec. 31, 1996	2	Jan. 10, 1997

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: General Provisions
- 2) Code Citation: 32 Ill. Adm. Code 310
- 3) Section Number:
310.75
Proposed Action:
New Section
- 4) Statutory Authority: Implementing and authorized by Section 38(b) of the Radiation Protection Act of 1990 (see P.A. 89-143, effective July 14, 1995) (420 ILCS 40/38(b)).

5) A Complete Description of the Subjects and Issues Involved: The Department is proposing this amendment to add a new Section 310.75 which will implement a statutory requirement which authorizes the Department to assess the costs of its response against persons responsible for the creation or continuation of an immediate threat to health.

6) Will this proposed amendment replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed amendment contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Robert B. Holtzclaw
Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 524-1003 (voice)
(217) 782-6133 (TDD)

12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF PROPOSED AMENDMENT

A) Types of small businesses, small municipalities and not for profit corporations affected: The Department believes that there will be a positive and negative effect to this amendment, but that the effect is outweighed by the danger created when citizens of the State of Illinois are unnecessarily exposed to a radiologic hazard and the need for the Department to respond appropriately. The Department believes that small municipalities will be positively impacted because they will be able to recoup their radiologic emergency response costs when they provide assistance to the Department. Further, the Department believes that small businesses and not for profit corporations will be negatively impacted if they are deemed responsible for the creation or continuation of a radiologic emergency. Responsible entities will be required to pay the Department for costs incurred in responding to a radiologic emergency that constitutes an immediate threat to public health.

B) Reporting, bookkeeping or other procedures required for compliance: These amendments do not require any additional reporting, bookkeeping or other procedures to be in compliance with this rulemaking.

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included in either of the 2 most recent regulatory agendas because: This rulemaking was not anticipated by the Department at the time of the most recent agendas.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF PROPOSED AMENDMENT

TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 310
GENERAL PROVISIONS

Section	Scope
310.10	Incorporations by Reference
310.15	Definitions
310.20	Exemptions
310.30	Records
310.40	Inspections
310.50	Tests
310.60	Additional Requirements
310.70	Emergency Response Cost Recovery
310.75	Violations
310.80	Policy for Assessment of Civil Penalties
310.81	Procedures for Assessment of Civil Penalties
310.82	Impounding
310.90	Prohibited Uses
310.100	Communications
310.110	Plans and Specifications
310.120	The International System of Units (SI) (Repealed)
310.130	Units of Exposure and Radiation Dose
310.140	Units of Activity
310.150	Transport Grouping of Radionuclides (Repealed)
APPENDIX A	Tests for Special Form Licensed Material (Repealed)
APPENDIX B	Penalty Assessment Worksheet (Repealed)
APPENDIX C	

AUTHORITY: Implementing and authorized by Section 38(b) of the Radiation Protection Act of 1990 (420 ILCS 40/38(b)) (see P.A. 89-143, effective July 14, 1995).

SOURCE: Filed April 20, 1974 by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; codified at 7 Ill. Reg. 15657; amended at 10 Ill. Reg. 17259, effective September 25, 1986; amended at 15 Ill. Reg. 10604, effective July 15, 1991; amended at 17 Ill. Reg. 18472, effective January 1, 1994; amended at 20 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses, subscript are denoted by brackets.

Section 310.75 Emergency Response Cost Recovery

The Department has authority under the Radiation Protection Act of 1990 (420

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ILCS 40] to respond to conditions that constitute an immediate threat to health and to assess the costs of its response against the person or persons responsible for the creation or continuation of the threat... If the Department is unable to determine who is responsible for the creation or continuation of the threat, the costs shall be assessed against the owner of the property and shall constitute a lien against the property until paid [420 ILCS 40/38(b)].

- a) Costs that are assessed shall be based on:
- 1) The Department's actual response costs, including, but not limited to:
 - A) Time required by Department professional staff to coordinate response;
 - B) Time spent traveling and providing administrative support;
 - C) Performance or oversight of decontamination activities at properties contaminated with radioactive material;
 - D) Performance or oversight of confirmatory environmental monitoring;
 - E) Performance or oversight of treatment, storage and disposal of sources of radiation;
 - F) Equipment and supplies; and
 - G) Contractual support, if any, incurred by the Department.
 - AGENCY NOTE: These support service costs may include, but are not limited to, rental of specialized equipment, acquisition of additional professional expertise not available within the Department and laboratory fees charged to the Department.
 - 2) Costs incurred by other units of government while assisting the Department, including agencies of the federal government, provided the costs are submitted as follows:
 - A) Unless otherwise notified by the Department, the request for reimbursement must be received by the Department within 45 days after the assistance is rendered to the Department or 45 days after the costs are determined, whichever is later, but in any case, not later than one year after the assistance is rendered;
 - B) The request shall be in writing and shall include documentation justifying costs to be reimbursed; and
 - C) Reimbursable costs may include, but are not limited to, items specified in subsection (a)(1) of this Section.
 - b) All reimbursable costs described in a reimbursement request by a governmental unit are subject to approval by the Director of the Department. The Department may request additional information in support of the requested reimbursement.
 - c) If a request by a governmental unit for costs is denied, or denied in part, the Department shall notify the requesting governmental unit of the decision within 30 days after the date the request was submitted.
 - d) Each bill for emergency response costs assessed under this Section shall identify the items claimed and the costs related to each.

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Payment is due to the Department within 45 days after receipt of the bill.

e) After all emergency response costs have been paid by the responsible parties, the Department shall pay governmental units based on approved requests.

f) Any person assessed costs under this Section shall have the right to a hearing before the Department provided a written request for a hearing is served on the Department within 10 days after notice of the assessment. In the absence of receipt of a request for a hearing, the affected party shall be deemed to have waived the right to a hearing [420 ILCS 40/38(b)]. Hearings shall be conducted in accordance with 32 Ill. Adm. Code 200.

(Source: Added at 20 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Real Estate Appraiser Certification

2) Code Citation: 68 Ill. Adm. Code 1455

3) Section Numbers: Proposed Action:

1455.80 New

1455.200 Amendment

1455.300 Amendment

4) Statutory Authority: Implementing and authorized by Article 2 of the Real Estate License Act of 1983 [225 ILCS 445/Art.2].

5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking, recommended by the Illinois Appraisal Committee, makes two changes in the appraiser certification rules intended to streamline investigation, compliance, and renewal activities of the Office of Banks and Real Estate.

Sections 1455.200 and 1455.300 are amended to change the expiration date for continuing education (CE) course approval from March 31 of even numbered years to September 30 of odd numbered years. This change will make the two-year approval cycle for CE courses coincide with the two-year license cycle for appraiser licensees, reducing confusion for education providers and appraiser licensees and making it easier for the Office of Banks and Real Estate to monitor licensee compliance with continuing education requirements. The approval period during which the transition to the new expiration date will be made is 18 months long (the normal period is 24 months); approval fees for that one period will be prorated accordingly to 18/24ths of the normal fees.

There are three ranks of licensure for real estate appraisers. New Section 1455.80 will specify that while a person can upgrade or downgrade his or her license, the person may hold only one rank of appraiser licensure at one time. In the event of an upgrade or downgrade, any complaints, sanctions, or other disciplinary matters pertaining to the existing license will transfer to the upgraded or downgraded license. This will facilitate investigative and enforcement actions by the Office of Banks and Real Estate and ensure that supervisory and disciplinary actions are not affected by an upgrade or downgrade.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

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10) Statement of Statewide Policy Objectives: This rule will not affect local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties should submit written comments or views concerning the proposed rulemaking to the attention of:

John Arthur
Legislative Liaison
Office of Banks and Real Estate
500 East Monroe, Suite 900
Springfield, IL 62701-1532
(217) 782-6181

The Agency will consider all written comments it receives in writing within 45 days after the date of publication in the *Illinois Register*.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Appraiser licensees under Article 2 of the Real Estate License Act of 1983.

B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VIII: OFFICE OF BANKS AND REAL ESTATE

PART 1455

REAL ESTATE APPRAISER CERTIFICATION

SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

Section	Definitions
1455.10	Uniform Standards of Professional Appraisal Practice
1455.15	Jurisdictional Exceptions/Supplemental Standards
1455.16	Education and Experience Requirements for State Licensed Real Estate Appraiser
1455.20	Education and Experience Requirements for Certified Residential and Certified General Real Estate Appraiser
1455.30	Application as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser
1455.40	Examination
1455.50	Nonresident License/Certification
1455.60	Nonresident/Temporary Practice
1455.70	Upgrade and Downgrade of Appraiser License/Certification
1455.80	

SUBPART B: EDUCATION PROVIDERS

Section	Approval of Education Providers/Courses
1455.200	Appraiser Continuing Education (CE)
1455.205	Fees - Education Providers/Courses (Repealed)
1455.210	

SUBPART C: GENERAL

Section	Renewals
1455.300	Fees
1455.305	Granting Variances
1455.310	

AUTHORITY: Implementing Article 2 of the Real Estate License Act of 1983 [225 ILCS 455/Art. 2] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 16 Ill. Reg. 16196, effective September 30, 1992, for a maximum of 150 days; rules adopted at 17 Ill. Reg. 1589, effective January 26, 1993; emergency amendment at 17 Ill. Reg. 6668, effective April 19, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13494, effective July 30, 1993; amended at 18 Ill. Reg. 2379, effective January 28, 1994; emergency amendment at 18 Ill. Reg. 3006, effective February 10, 1994,

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for a maximum of 150 days; amended at 18 Ill. Reg. 8428, effective May 24, 1994; amended at 19 Ill. Reg. 9176, effective June 26, 1995; emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16604, effective December 1, 1995; amended at 20 Ill. Reg. 6489, effective April 30, 1996; recodified from Chapter VII, Department of Professional Regulation, to Chapter VIII, Office of Banks and Real Estate, pursuant to PA 89-23 and PA 89-508, at 20 Ill. Reg. 11984; amended at 20 Ill. Reg. _____, effective _____.

SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

Section 1455.80 Upgrade and Downgrade of Appraiser License/Certification

A State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser, or Certified General Real Estate Appraiser may apply to upgrade or downgrade his or her license to a higher or lower rank by filing the appropriate application, meeting all license requirements, and paying all fees in effect at the time of application for the higher or lower rank, provided that no appraiser shall be licensed at more than one appraiser rank at one time.

a) Upon the issuance of an appraiser of a license at a higher or lower rank, the appraiser's previously active license shall be terminated, shall not be renewable, and shall be reinstated only by reapplication subject to the qualification requirements and application fees in effect at the time of such reapplication.

b) Any actions by the Office of Banks and Real Estate relating to allegations, complaints, investigations, prosecutions, discipline, supervision, or sanctions pursuant to the Act or this Part that apply to an individual holding an appraiser license shall continue to apply to the individual no matter what rank of appraiser licensure the individual has held, is holding, or may hold in the future.

(Source: Added at 20 Ill. Reg. _____, effective _____.)

SUBPART B: EDUCATION PROVIDERS

Section 1455.200 Approval of Education Providers/Courses

a) An entity seeking approval as an appraisal education provider shall submit an application, on forms provided by the Office (OBRE), and shall meet the following minimum criteria:

1) The provider shall:

- A) Maintain a fixed office that is adequate for the maintenance of all records, office equipment, files, telephone equipment and office space necessary for customer service;
- B) Offer a minimum of one curriculum that conforms to the standards of subsections (c) and (d) of this Section;

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- C) Administer a mandatory final examination for each pre-license course offering;
- D) Provide each student within 21 days of completion of each course (or within 21 days of a request by a student or OBRE), a certification of completion, transcript or other document verifying hours of attendance, successful course completion and identifying the course by name and number, if any. In addition, such certificate, transcript or other document shall indicate the provider's address and telephone number, the location and date of the course, and include an authorized signature of the course provider's representative. Documentation for CE courses may be in the form of a Uniform Request for Continuing Education, which is a form supplied by national appraisal organizations;
- E) Submit the fee(s) set forth in Section 1455.305;
- F) Comply with all applicable fire, building, zoning, health, safety and accessibility codes and standards pertaining to the premises, equipment and facilities of the course site;
- G) Provide the student with information which specifies the course of study to be offered; the tuition to be charged; the school's policy regarding refund of unearned tuition when a student is dismissed or withdraws voluntarily or through hardship; any additional fee to be charged for supplies, materials or books which become the property of the student upon payment; and such other matters as are material to the relationship between the school and the student (e.g., cost of retaking a course, current status of licensure, any disciplinary action taken by OBRE and attendance requirements);
- H) Maintain for each student a record which shall include the course of instruction undertaken, dates of attendance, and areas of study completed satisfactorily. Each student's record shall be maintained by the school for a period of at least 7 years and shall be available for inspection by the student or by OBRE or its designee during regular business hours; and
- I) Employ competent instructors.
 - i) Beginning December 31, 1993, instructors for courses in the IL IV and IL V curricula shall be Certified General Real Estate Appraisers or full time faculty members of a 4-year college or university.
 - ii) Beginning December 31, 1993, instructors for courses in the IL I, IL II and IL III curricula shall be Certified Residential or Certified General Real Estate Appraisers or full time faculty members of a 4-year college or university.
 - iii) For CE courses and courses in the IL E curriculum, instructors should be Certified Residential or General

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Real Estate Appraisers or persons with education and/or experience in appraisal or the subject matter of the course.

- 2) Approved course providers shall not advertise as being endorsed, recommended or accredited by OBRE. Course providers may indicate that the provider and course of study have been approved by OBRE.
- 3) Illinois Colleges, Universities, and Agencies
 - A) Colleges and universities which apply as appraisal education providers under subsection (a)(1) above shall be accredited by the regional accrediting body and offer either or both an associate's and baccalaureate degree program.
 - B) Illinois Colleges and universities will not be required to pay the application fees required by Section 1455.305.
 - C) Agencies under the jurisdiction of the Governor of the State of Illinois will not be required to pay the application fees required for education providers by Section 1455.305.

b) Appraisal Education Sub-Providers

- 1) Sub-organizations (such as chapters, branch schools and local associations) may seek CE course approval (licensure) under the appraisal education provider's license of the parent organization. Such sub-providers may not seek approval for pre-licensure appraisal courses. Sub-providers may offer pre-licensure courses as a co-sponsor with the parent provider.
- 2) Sub-organizations need not apply to OBRE to become an approved CE course provider but may seek course approval under the providership of the parent organization.

- A) A sub-provider need not comply with (A), (C), (D) or (H) of subsection (a)(1) of this Section.
- B) The license of the parent organization may not be jeopardized or disciplined as a result of the actions of the sub-provider.

- 3) The appraisal education sub-provider, on each application for CE course approval, must certify:

- A) The sub-organization has reviewed the CE course and approves the course content;
- B) The sub-organization is an authorized affiliate of the parent organization;
- C) The parent organization has given the sub-organization permission to seek course approval (licensure) under the umbrella of the parent organization's provider's license; or, that the parent organization will recognize the course for CE credit within its own CE program.
- 4) Each CE course sub-provider shall issue to each registered student a certificate of attendance that shall indicate the student's name, social security number or appraiser license/certification number, the date(s) and location of the course, the signature of an authorized representative of the sub-provider and a statement that the student did or did not

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attend a minimum of 90% of the course. A certificate of attendance may be in the form of a course attendance diploma, a certification letter, an official transcript or a "Uniform Request for Continuing Education Credit".

- 5) Within twenty-one (21) days after completion of each CE course presentation, the sub-provider shall certify to OBRE a roster of all duly registered students. The certification shall be on forms provided by OBRE and shall include:

- A) The CE course license number;
- B) The license number of the parent provider;
- C) The date(s) and location of the CE presentation;
- D) The name of the instructor(s);
- E) A listing of students by full name, appraiser license/certification number (or social security number) and an indication that the student did or did not attend a minimum of 90% of the course (the names shall be listed in alphabetical order); and
- F) The authorized signature of a representative of the sub-organization.

c) Required Pre-License/Certification Course Curriculum

- 1) Standards of Professional Appraisal Practice--15 hours (IL I). This course curriculum reviews USPAP adopted by the Appraisal Subcommittee. Topics are:

- A) Ethics Provision - USPAP
- B) Competency Provision - USPAP
- C) Departure Provision - USPAP
- D) Standard 1 - USPAP
- E) Standard 2 - USPAP
- F) Standard 3 - USPAP
- G) Standard 4 - USPAP
- H) Standard 5 - USPAP
- I) Standard 6 - USPAP

- 2) Basic Principles of Appraisal--30 hours (IL II). This course curriculum shall include an overview of the appraisal process covering the principles of market and valuation analysis necessary for appraising real property and an introduction to appraisal theory, concepts, techniques and the level of competence required to perform professional appraisal analyses. Topics are:

- A) Influences on Real Estate
- B) Real Estate/Real Property/Personal Property
- C) Real Estate Ownership
- D) Legal Descriptions
- E) Types of Value
- F) Economic Principles
- G) Real Estate Markets and Market Analysis
- H) Money and Capital Markets
- I) Real Estate Financing

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- J) Valuation Process
 K) Neighborhood Data and Analysis
 L) Site Data and Analysis
 M) Improvement Data and Analysis
 N) Basic Construction and Design
 O) Highest and Best Use Analysis
 P) Sources of Valuation Data
 Q) Accumulation of Valuation Data
 R) Overview of the Three Approaches to Value
 S) Reconciliation and Final Value Estimate
 T) Overview of the Appraisal Report
- 3) Residential Valuation Procedures/Single Family Appraisal--30 hours (IL III). This course curriculum shall be designed to provide an understanding and working knowledge of the procedures and techniques required to estimate the market value of residential properties. Emphasis should be placed on the extraction of data and the correct application of the three approaches to real estate valuation. Topics are:
- A) Basic Statistics
 - B) Residential Site Valuation - Sales Comparison
 - C) Residential Site Valuation - Allocation
 - D) Residential Site Valuation - Extraction
 - E) Cost Approach - Cost New Estimates
 - F) Cost Approach - Entrepreneurial Profit
 - G) Cost Approach - Types of Depreciation
 - H) Cost Approach - Depreciation - Age-Life Method
 - I) Cost Approach - Depreciation - Market Extraction Method
 - J) Cost Approach - Depreciation - Breakdown Method
 - K) Cost Approach - Application
 - L) Sales Comparison Approach - Units of Comparison
 - M) Sales Comparison Approach - Elements of Comparison
 - N) Sales Comparison Approach - Cash Equivalency
 - O) Sales Comparison Approach - Making Adjustments
 - P) Sales Comparison Approach - Application
 - Q) Income Capitalization Approach - Gross Rent Estimates
 - R) Income Capitalization Approach - Gross Rent Multiplier
 - S) Income Capitalization Approach - Application
 - T) Residential Appraisal Reports
- 4) Valuation Procedures, Nonresidential Properties--30 hours (IL IV). This course curriculum focuses on the appraisal of nonresidential properties and provides a practical solution for estimating value by an in-depth study of appraisal theory and the development of advanced valuation skills. Topics are:
- A) Basic Statistics
 - B) Site Valuation - Sales Comparison
 - C) Site Valuation - Allocation/Extraction
 - D) Site Valuation - Subdivision Analysis/Other Methods
 - E) Cost Approach - Cost New Estimates

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- F) Cost Approach - Entrepreneurial Profit
 - G) Cost Approach - Types of Depreciation
 - H) Cost Approach - Depreciation - Age-Life Method
 - I) Cost Approach - Depreciation - Market Extraction Method
 - J) Cost Approach - Depreciation - Breakdown Method
 - K) Cost Approach - Application
 - L) Sales Comparison Approach - Units of Comparison
 - M) Sales Comparison Approach - Elements of Comparison
 - N) Sales Comparison Approach - Cash Equivalency
 - O) Sales Comparison Approach - Making Adjustments
 - P) Sales Comparison Approach - Application
 - Q) Income Approach - Income Estimates
 - R) Income Approach - Expense Estimates
 - S) Income Approach - Capitalization Rates
 - T) Income Approach - Direct Capitalization
 - U) Income Approach - Income Multipliers
 - V) Income Approach - Application
 - W) Appraisal Reports
- 5) Income Capitalization--30 hours (IL V). Courses in this curriculum are to provide alternative methods of estimating present value based on income forecasts. These courses focus on more advanced capitalization methods and techniques. Topics include:
- A) Six Functions of \$1
 - B) Gross Income Estimates
 - C) Vacancy and Collection Loss
 - D) Operating Expense Estimates
 - E) Reserves for Replacement
 - F) Operating Statement Ratios and Multipliers
 - G) Debt Service/Equity Dividend
 - H) Direct Capitalization
 - I) Overall Rate Development - Market Extraction
 - J) Overall Rate Development - Band of Investment
 - K) Overall Rate Development - Ratios/Multipliers
 - L) Overall Rate Development - Residual Techniques
 - M) Equity Dividend Rate
 - N) Debt Coverage Ratio
 - O) Cash Flow Estimates
 - P) Reversion Estimates
 - Q) Discount and Yield Rates
 - R) Yield Capitalization Overview
 - S) Discounted Cash Flow Analysis
 - T) Lease Provisions, Analysis and Valuation
 - U) Lease Analysis
 - V) Partial Interest Valuation
- 6) Courses in the IL E curriculum (electives) are courses with topics that are considered more advanced; and/or cover appraisal topics not covered in the core course curricula. Credit for

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elective hours can be achieved by successful completion of courses approved in the IL E curriculum or by successful completion of courses with excess hours approved and allocated for elective credit in accordance with subsection (c)(9) of this Section.

- 7) Each pre-licensure/certification course shall be a minimum of 15 credit hours.
- 8) All pre-licensure/certification courses shall include a final examination.

- A) Each final exam for curricula IL II, IL III, IL IV, IL V and IL E (elective) courses shall consist of a minimum of 50 questions; however, courses approved for 15 hours credit may have a final examination with 25 questions.

- B) The final exam for IL I courses shall consist of a minimum of 25 questions.

- C) The applicant shall pass the examination in order to obtain credit for a course. A passing score shall be a minimum of 70% of examination questions answered correctly.

- 9) If 80% of the required topics for IL II through IL V courses are presented, the course shall be approved for the minimum required hours. Two 15 hour courses from a single provider may be approved to meet a 30 hour curriculum requirement, provided the courses together cover a minimum of 80% of the required curriculum topics. An application for one 15 hour course in a curriculum requiring 30 hours will be denied. For courses in the IL I curriculum 100% of the listed topics must be covered. IL E courses will be approved based upon the Committee's review of the course as to the value of topics to be presented and their relationship to the appraisal process.

- A) Classroom hours in excess of the curriculum requirement may be approved for elective credit. Such approval is limited to 9 excess hours for courses in a 30 hour curriculum requirement and 5 excess hours for courses in a 15 hour curriculum requirement;

- B) Excess hours may be approved, within the above limits based upon the Committee's evaluation of the appraisal educational value of the excess hours.

- 10) All changes in course content shall be submitted to OBRE for review and evaluation.

- 11) The license for all pre-licensure/certification courses shall expire 36 months from the date of issue. An approved provider may renew the course approval by completing a renewal application and paying the renewal fee, in accordance with Sections 1455.300 and 1455.305 of this Part.

d) CE Course Requirement

- 1) Courses licensed by OBRE for pre-licensure/certification appraiser education are approved for CE credit. The renewal applicant will be awarded credit for attendance at these courses provided the

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license for the course was valid and in good standing at the time of attendance; and provided the course is not repetitious as indicated by Section 1455.205. CE credit for pre-licensure certification education will be awarded as 15 hours for 15 hour courses and 20 hours for 30 (or more) hour courses.

- 2) CE courses shall be approved by the Director, upon the recommendation of the Committee, for courses with or without a final examination.

- 3) The application for each course approval shall include a description of the course, a course (or instructor's) outline that shall list the time frame for topic presentation, the number of classroom instruction hours excluding examination, the time allotted for examination (if any), the specific course name as it will appear on transcripts or course certifications, a sample of the certificate, the transcript or other documentation that will be used to document the student's attendance and any other information that may be required by OBRE.

- A) An applicant may be required to submit texts and all other course materials for evaluation by the Appraisal Committee.
- B) The application for CE courses being offered by a sub-provider shall also include a certification in accordance with subsection (b)(3) of this Section.

- 4) The Committee/Director shall approve courses that would contribute to the integrity, extension and enhancement of professional skills and knowledge in the practice of Real Estate Appraisal. Courses submitted for approval should be designed to cover at least one of the following topics:

- A) Ad Valorem Taxation
- B) Arbitration
- C) Business Courses (related to practice of real estate appraisal)
- D) Construction Cost Estimating
- E) Ethics and Standards of Professional Practice
- F) Illinois Appraiser Licensing Laws and/or Rules
- G) Land Use, Planning, and Zoning
- H) Property Development
- I) Real Estate Appraisal (valuation/evaluation)
- J) Real Estate Management, Leasing, Brokerage, Timeshare
- K) Real Estate Law
- L) Real Estate Litigation
- M) Real Estate Finance or Investment
- N) Appraisal Computer Applications
- O) Real Estate Securities and Syndications
- P) Real Property Exchange

- 5) Other topics deemed appropriate by the Committee/Director: The Committee/Director shall not approve:

- A) Motivation courses or seminars
- B) Courses that focus instruction to increase appraiser income

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- C) Courses or seminars that focus on the recruitment of employees or clients
- D) Courses or seminars with instructional material relative to associations
- E) Courses or seminars with instructional material relative to passing the State's appraiser examination
- F) Having less than three classroom hours of instruction exclusive of examination (if any)

- G) A course for more than 20 hours CE credit
- 6) Subsequent to approval of any CE course, revisions in course content and/or course material shall be submitted for re-evaluation and re-approval. Failure to report course changes may result in revocation of the CE course license. The fee for re-approval shall be in accordance with Section 1455.305.

- 7) Approval (license) for CE courses shall expire on March 31 of even numbered years until March 31, 1998. Beginning April 1, 1998, approval (license) for CE courses shall expire on September 30 of odd numbered years. The provider or sub-provider may renew the approval (license) by completing a renewal application and paying the renewal fee, in accordance with Sections 1455.300 and 1455.305 of this Part. The approval (license) fee or renewal fee for CE courses expiring on September 30, 1999 shall be 18/24ths of the approval (license) fee or renewal fee as provided in Section 1455.305 of this Part.

- e) Audits and inspections. OBRE may conduct on site inspections of the course provider's (or sub-provider's) place of business and may audit any session of any course approved for pre-license or CE credit.

- 1) At the request of the Director, a course provider shall provide a list of all courses that the provider is planning to offer within a 6 month period subsequent to the request. The list shall include the name and license number of each course, as well as the date, time and location of each presentation.

- 2) In the event of a course audit, the provider shall provide OBRE representative, at no cost, any and all course materials used in the presentation of the course being audited.

- 3) The Director, a member of the Director's staff, an Appraisal committee member or other designated OBRE employee may inspect the business office of any course provider (or sub-provider) during normal business hours.

- f) Withdrawal of Approval

- 1) OBRE, upon recommendation of the Real Estate Appraisal Committee, shall withdraw, suspend or place on probation in accordance with 68 Ill. Adm. Code 1110 the approval of the real estate appraiser education provider when the quality of the program fails to continue to meet the established criteria of an approved provider as set out in this Section or upon determination that the decision to approve the program was based upon false or deceptive information.

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- 2) The provider's license will terminate immediately upon the failure to renew. Course licenses will terminate upon the expiration date or immediately upon the termination of the provider's license. The provider may thereafter reapply for approval as an appraiser education provider and for course approval.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART C: GENERAL

Section 1455.300 Renewals

- a) Every license or certificate issued under the Act as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser shall expire on September 30 of each odd-numbered year. The holder of a license or certification may renew the license or certification during the month preceding the expiration date by paying the required fee specified in Section 1455.305 of this Part.

- 1) In order to renew a license or certification in 1995, and thereafter, an applicant will be required to comply with the continuing education requirements pursuant to Section 36.17 of the Act and Section 1455.205 of this Part.

- 2) A license with the title of State Licensed Real Estate Appraiser may be renewed by providing evidence of completion of experience as required by Section 1455.20(b), evidence of 20 hours CE course work and payment of renewal fees set forth in Section 1455.305 of this Part. For a license expired between 2 years and 3 years, a renewal applicant shall complete the 20 hours of CE after the expiration date on the license.

- 3) An expired license for Certified Residential or General Real Estate Appraiser may be renewed by payment of renewal fees set forth in Section 1455.305 of this Part and evidence of completion of 20 hours of CE coursework. For a license expired between 2 years and 3 years, a renewal applicant shall complete 20 hours of CE after the expiration date on the license.

- 4) A license or certificate for State Licensed, Certified Residential or Certified General Real Estate Appraiser expired for more than 3 years will not be renewed. The appraiser may reapply for license or certification by meeting the licensure or certification requirements in effect at the time of application and by passing the appropriate State Appraiser Examination.

- 5) The holder of a license or certificate for State Licensed, Certified Residential or Certified General Appraiser that is expired for a period of less than 3 years may renew the license or certificate in accordance with the provisions of this Section.

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Licenses may not reapply for licensure or certification in the same appraiser category until the certificate has been expired for 3 years.

- b) Approved real estate appraiser education providers shall renew December 31 each year by paying the required fee set forth in Section 1455.305 of this Part. An appraiser education provider's license that has expired for more than 60 days may not be renewed. The provider may reapply for licensure in accordance with Section 1455.200.
- c) Approved pre-licensure/certification courses will expire 3 years from the date of issue, or upon the expiration of the provider license (for which the course license is subordinate), and may be renewed by renewal application and payment of fees, in accordance with Sections 1455.200 and 1455.305, 60 days prior to expiration.

- 1) The renewal application shall include a confirmation of the provider's original certification and a certification that the course is essentially the same course as previously approved. In addition to the application, the applicant must explain any course revisions in detail, submit a listing of texts and other materials used in the course as well as the current final examination, and submit the current course outline, which shall contain a time schedule for topic presentation.

- 2) Applications received 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the pre-licensure/certification course under a different course title.

- d) Approved appraisal CE courses will expire on March 31 of even numbered years until March 31, 1998 and may be renewed by renewal application and payment of fees, in accordance with Sections 1455.200 and 1455.305, 60 days prior to expiration. Beginning April 1, 1998, approved appraisal CE courses will expire on September 30 of odd numbered years and may be renewed by renewal application and payment of fees, in accordance with Sections 1455.200 and 1455.305, 60 days prior to expiration.

- 1) The renewal application shall include a confirmation of the provider's original certification and a certification that the course is essentially the same course as previously approved. In addition to the application, the applicant must explain any course revisions in detail, submit a listing of texts and other materials used in the course, and submit the current course outline, which shall contain a time schedule for topic presentation.

- 2) Any application for CE course renewal received 366 days or more after the expiration date shall not be renewed. The applicant may submit a new application for approval of the course under a different course title.

- 3) A course meeting the requirements of a pre-licensure/certification course as set forth in Section 1455.200(c)(1) through (5) will be

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denied licensure as a CE course; however, such course may be approved by application for approval as a pre-licensure/certification course and payment of the appropriate fee.

- e) It is the responsibility of each individual holding certification or licensure to notify the Office (OBRE) of any change of address. Failure to receive a renewal form from OBRE shall not constitute an excuse for failure to pay the renewal fee and to renew the certification in a timely manner.

- f) A certificate for State Licensed Real Estate Appraiser will not be renewed until OBRE has received documentation of 500 hours of experience in accordance with Section 1455.20(b). To expedite processing, the documentation may be submitted with the original application for licensure or as soon as the experience is met; otherwise, it shall be submitted with the renewal application.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Aid to Families with Dependent Children2) Code Citation: 89 Ill. Adm. Code 1123) Section Numbers:
112.75 Proposed Action:
New Section4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ICS 5/12-13], May 15, 1996, Action Transmittal on Teen Parents from the Department of Health and Human Services and 45 CFR 250.34.5) Complete Description of the Subjects and Issues Involved: On May 4, 1996, President Clinton announced a state and federal effort to strengthen teen parent responsibility. A key part of this effort is the use of a new comprehensive planning tool called the Teen Parent Personal Responsibility Plan. Use of the plan will enhance the Department's existing initiatives aimed at keeping young parents in school, preparing them for employment and self-sufficiency, and preventing them from viewing welfare as a way of life.

On May 15, 1996, an Action Transmittal on Teen Parents was issued to the Department from the Department of Health and Human Services. This Action Transmittal requires the Department to develop personal responsibility plans for all teen parents required to participate in JOBS within six months from the date of the Action Transmittal. Expanding on the JOBS employability plan, this Action Transmittal requires the Personal Responsibility Plan (PRP) to be preceded by an assessment, set broad goals and then outline the specific steps the client and the Department will take to help the family achieve employment and self-sufficiency. The Action Transmittal dictates that the PRP should make absolutely clear to teen parents the responsibilities they must meet to receive AFDC and what services the Department agrees to provide to assist them. According to the Action Transmittal, the PRP should delineate family needs, the assigned JOBS activity, and necessary supportive services. The PRP must describe the respective responsibilities of the client and the Department to establish paternity and child support orders, to attend and complete school, and to improve parenting skills.

Based on the initial assessment that evaluates employment, educational, child care and other supportive service needs, as well as skills, prior work experience and employability, the Action Transmittal instructs the Department and the teen parent to develop a personal responsibility plan. It is suggested that this interaction will offer each teen parent the opportunity to understand how requirements affect his or her particular case. Developing PRPs will give teen parents a chance to contribute their own ideas about how they can achieve self-sufficiency. The PRP will also remind the teen parent that establishing paternity and child support for his or her children, finishing school and then finding work quickly is

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paramount to becoming self-sufficient. In this way, PRPs reinforce state-designed welfare reform and cultural change activities taking place across the country.

The Action Transmittal indicates that requiring teen parents to develop personal responsibility plans will send important messages to young parents. In order for the system of mutual responsibility to work, teen parents must see that requirements are real and enforceable. Teen parents who fail, without good cause, to participate in their assigned JOBS activity - to stay in school, to attend job training programs or to look for work - should be identified quickly and appropriately sanctioned in accordance with 45 CFR 250.34.

These proposed amendments establish that all young parents that are required to participate in Teen Parent Initiative/Young Parent Services (TPI/YPS) must complete a mandatory Personal Responsibility Plan (PRP). The PRP will describe the responsibilities of both the young parent and the Department in the young parent's plan to become self-supporting.

As a result of this rulemaking, a young parent who is required to participate in the TPI/YPS Program must complete a PRP. The PRP will be preceded by an assessment and will delineate family needs, the assigned TPI/YPS activity and necessary supportive services. The PRP will describe the young parent's goals and the Department's role in assisting the young parent to achieve the following goals:

1. attending school and completing a high school education;
2. establishing paternity for the young parent's child or children and obtaining child support;
3. participating in program activities designed to improve parenting and life skills; and
4. seeking and obtaining full-time employment.

Both the young parent and the TPI/YPS case manager must sign the form. If a young parent fails to complete the PRP, the individual's needs will be removed from the AFDC grant as follows:

1. in the first instance, until the failure to comply ends;
2. in the second instance, until the failure to comply ends or three months, whichever is longer;
3. in the third or subsequent instance, the longer of six months or until the failure to comply ends.

6) Will these proposed amendments replace emergency amendments currently in effect? Yes

7) Does this rulemaking contain an automatic repeal date? No

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8) Do these proposed amendments contain incorporation by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

<u>Sections</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
112.66	New Section	August 16, 1996 (20 Ill. Reg. 10766)
112.71	Amendment	February 23, 1996 (20 Ill. Reg. 3461)
112.98	Amendment	April 26, 1996 (20 Ill. Reg. 5965)
112.110	Amendment	June 28, 1996 (20 Ill. Reg. 8433)
112.151	Amendment	June 28, 1996 (20 Ill. Reg. 8433)
112.330	Amendment	August 23, 1996 (20 Ill. Reg. 11462)

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Ave. E., 3rd Floor
Springfield, IL 62762
(217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

The Department is unaware of any effect this rulemaking may have on small businesses, small municipalities or not-for-profit corporations. The Department will accept and consider any written comments concerning such effects that may be submitted in response to these proposed amendments. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit

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corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page _____.

DEPARTMENT OF PUBLIC AID

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- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers: Proposed Action:
148.295 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) Complete Description of the Subjects and Issues Involved: These proposed amendments establish a new payment adjustment program for certain rural hospitals. This program will provide rural hospitals with additional resources in order to maintain access to necessary health care services in the rural communities of Illinois. These Rural Critical Hospital Adjustment Payments (RCHAP) are primarily targeted for rural hospitals that provide obstetrical care, thereby ensuring that services, especially obstetrical services, remain available in underserved rural areas.

Changes are also being made to Section 148.295 concerning the established Critical Hospital Adjustment Payment (CHAP) program. Due to a decrease in CHAP utilization, the Department is able to increase the amounts for trauma center adjustments described in subsections (a)(1), (a)(2) and (a)(3), and decrease the admission thresholds described in subsection (b)(2). It is anticipated that these changes will not result in any increase over fiscal year 1996 CHAP expenditures.

The new RCHAP program is a component of the budget plan for fiscal year 1997, and the Department anticipates that \$6.8 million will be spent under this program. However, aggregate medical expenditures are expected to be considerably less than the probable spending that would have resulted from more costly services in the absence of RCHAP.

- 6) Will these proposed amendments replace emergency amendments currently in effect? Yes
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.82	Amendment	July 12, 1996 (20 Ill. Reg. 8934)
148.140	Amendment	July 12, 1996 (20 Ill. Reg. 8934)
148.160	Amendment	July 12, 1996 (20 Ill. Reg. 8934)
148.285	New Section	July 12, 1996 (20 Ill. Reg. 8934)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Joanne Jones
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Ave. E., 3rd Floor
Springfield, Illinois 62762
(217) 524-0081

The Department requests the submission of written comments within 30 days after the publication of this notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

Any interested persons may review these amendments at the Department of Public Aid's local offices located in each county (except Cook County). In Cook County, the amendments may be reviewed at the Office of the Director, Illinois Department of Public Aid, 310 South Michigan Avenue, Suite 1700, Chicago, Illinois. The amendments may be reviewed at all offices Monday through Friday from 8:30 A.M. until 5:00 P.M. These copies of the amendments are being made available for review in accordance with federal requirements at 42 CFR 447.205.

These proposed amendments may have an impact on small businesses, small municipalities, and not-for-profit corporations as defined in Sections 1-75, 1-80 and 1-85 of the Illinois Administrative Procedure Act [5 ILCS 100/1-75, 1-80, 1-85]. These entities may submit comments in writing to the Department at the above address in accordance with the regulatory flexibility provisions in Section 5-30 of the Illinois Administrative Procedure Act [5 ILCS 100/5-30]. These entities shall indicate their status as small businesses, small municipalities, or not-for-profit corporations as part of any written comments they submit to the Department.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: Hospitals
- B) Reporting, bookkeeping or other procedures required for compliance: None

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C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendments is identical to the text of the Emergency Amendments which appears in this issue of the Register on page .

ILLINOIS RACING BOARD

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Pari-Mutuels

2) Code Citation: 11 Ill. Adm. Code 300

3) Section Numbers: 300.40
Proposed Action: Amendment

4) Statutory Authority: 230 ILCS 5/9(b)

5) A. Complete Description of the Subjects and Issues Involved: In recent weeks, two large Illinois carryover pools were won through out-of-state locations that offered minimum wagers less than those established by the Illinois host. While Illinois locations are required to maintain the same minimum wagers as those established by the Illinois host, out-of-state locations are not required to maintain those minimums. This rulemaking will level the playing field for Illinois patrons by requiring the organization licensee to require and ensure Illinois minimum purchase prices are maintained by out-of-state wagering outlets. This rulemaking provides for civil penalties against organization licensees that do not prohibit out-of-state facilities from offering lower minimum prices.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
Yes

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: No local governmental units will be required to increase expenditures.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments should be submitted, within 45 days after this notice, to:

Gina DiCaro
Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, IL 60601
(312) 814-5070

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

ILLINOIS RACING BOARD

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B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rule was not included on either of the 2 most recent agendas because: This rulemaking was not anticipated by the Board and did not appear in the Board's regulatory agenda.

The full text of the Proposed Amendment is identical to the text of the Emergency Amendments which appears in this issue of the Register on page _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Services
- 2) Code Citation: 89 Ill. Adm. Code 590
- 3) Section Numbers: 590.190
Proposed Action: Amendment
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3], and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].
- 5) A Complete Description of the Subjects and Issues Involved: The amendments clarify medical services which DORS is prohibited from providing through the Vocational Rehabilitation Program.
- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this rulemaking contain incorporations by reference? No
- 9) Are there any other proposed rulemakings pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
590.470	Amendment	20 Ill. Reg. 10307, August 2, 1996
590.720	Repealed	20 Ill. Reg. 3071, February 16, 1996

10) Statement of Statewide Policy Objectives: This is not applicable to this Rulemaking.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, IL 62794-9429
(217) 785-3896
TTY: (217) 785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

DEPARTMENT OF REHABILITATION SERVICES

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- 12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

A) Types of small businesses, small municipalities and not for profit corporations affected: N/A

B) Reporting, bookkeeping or other procedures required for compliance: N/A

C) Types of professional skills necessary for compliance: N/A

- 13) Regulatory Agenda on which this rulemaking was summarized: July 1996

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATION

PART 590
SERVICES

SUBPART A: APPLICABILITY

Section
590.10
590.20
590.30
590.35
590.40

General Applicability
Availability of Services
Effect of Financial Status on Services
Effect of Comparable Benefits
Choice of Service Providers

SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

Section
590.50
590.60
590.70
590.80
590.90
590.100
590.110
590.120
590.130
590.140
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590.170
590.180
590.190

Provision of Services
Qualification of Medical and Psychological Service Providers
Treatment of Acute Conditions
Medication and Treatment
Hearing Aids
Binaural Hearing Aids
Speech and Language Services
Low Vision Aids
Mental Restoration Services
Heart Surgeries
Kidney Transplant and Related Services
Chiropractic Services
Prosthetic and Orthotic Device
Wheelchairs
Prohibited Services

SUBPART C: TRAINING AND RELATED SERVICES

Section
590.200
590.210
590.220
590.230
590.240
590.250
590.260
590.270
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590.290

Provision of Services
Qualification of Training Facilities/Institutions
Purpose and Types of Training
Financial Guidelines for Training Services
Graduate School Training
Choice of Training Facility/Institution
Summer School
Grades
Health Status
On-the-Job Training

DEPARTMENT OF REHABILITATION SERVICES

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590.300 Default on Educational Loans

SUBPART D: TOOLS, EQUIPMENT, SUPPLIES AND INITIAL STOCK

Section
590.310 Provision of Services
590.320 Self-Employment Program
590.330 Services/Goods not Available
590.340 Bidding Requirements
590.350 Recovery of Tools, Equipment, Supplies and Initial Stock
590.360 Transfer of Title
590.370 Limitation of Financial Participation (Repealed)

SUBPART E: VEHICLE ADAPTATION AND ENVIRONMENTAL MODIFICATION

Section
590.375 Provision of Services
590.380 Vendor Requirements
590.390 Bidding Requirements
590.400 Vehicle Adaptation
590.410 DORS Financial Participation in Van Adaptation
590.420 Environmental Modification
590.430 Written Agreements for Environmental Modification
590.440 Compliance with Capital Development Board Specifications

SUBPART F: PERSONAL SUPPORT SERVICES AND AUXILIARY AIDS

Section
590.450 Provision of Services
590.460 Types of Services
590.470 Services/Equipment
590.480 Qualifications for Services Provided by Individuals
590.490 Payment for Support Services Provided by Individuals and Conditions of Service Provision

SUBPART G: COMPUTER EQUIPMENT AND SENSORY AID LOAN

Section
590.500 Provision of Services (Repealed)
590.510 Definitions (Repealed)
590.520 Purpose of Equipment Loans (Repealed)
590.530 Criteria for Loan of Equipment/Aids (Repealed)
590.540 Equipment/Aids Loan Request Procedures and Approval Process (Repealed)
590.550 Duration of Loans (Repealed)
590.560 Maintenance and Return of Equipment/Aids (Repealed)
590.570 Assistance in Obtaining Permanent Equipment/Aids (Repealed)
590.580 Limitations on Available Equipment/Aids (Repealed)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

SUBPART H: OTHER SERVICES

Section
590.590 Provision of Services
590.600 Transportation and Temporary Lodging
590.610 Other Goods and Services
590.620 Equipment Sets

SUBPART I: PLACEMENT

Section
590.630 Provision of Placement Services
590.640 Description of Services

SUBPART J: MAINTENANCE

Section
590.650 Provision of Services
590.660 Definitions
590.670 Determination of the Need for Maintenance
590.675 Determination of Client Financial Participation in Maintenance
590.680 Exceptions to Basic Needs Level

SUBPART K: POST-EMPLOYMENT SERVICES

590.700 Provision of Services
590.710 Definitions
590.720 Scope of Services

SUBPART L: TRANSITION

590.730 Provision of Services
590.740 Definitions
590.750 Secondary Transitional Experience Program (STEP)

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

SOURCE: Emergency Rules adopted at 17 Ill. Reg. 11812, effective July 1, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 20461, effective November 15, 1993; amended at 18 Ill. Reg. 11275, effective June 30, 1994; emergency amendment at 18 Ill. Reg. 16468, effective October 20, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. 7260, effective May 12, 1995; amended at 19 Ill. Reg. 7435, effective May 19, 1995; amended at 19 Ill. Reg. 10153, effective June 29, 1995; amended at 19 Ill. Reg. 10709, effective June 29, 1995; amended at 20 Ill. Reg. 6319, effective April 18, 1996; amended at 20 Ill. Reg. 6523, effective April 18, 1996; amended at 20 Ill. Reg. 10375,

DEPARTMENT OF REHABILITATION SERVICES

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effective July 19, 1996; amended at 20 Ill. Reg. _____, effective _____.

SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

Section 590.190 Prohibited Services

Under no circumstances shall DORS provide to a customer:

- a) intestinal by-pass or stapling surgeries for the treatment of extreme obesity;
- b) abortions, or any associated services;
- c) transsexual services, or any associated services;
- d) organ transplants, or any related services, with the exception of Kidney Transplants and Related Services (89 Ill. Adm. Code 590.150); and
- e) any drug, therapeutic device, procedure, or surgery which cannot be legally prescribed by a licensed medical professional or which is outside accepted medical practice and has not been approved by the Food and Drug Administration of the United States Department of Health--and Human Services;
- f) surgical or other services solely for cosmetic purposes. A surgery or service is not "solely for cosmetic purposes" when it would correct or substantially modify a physical condition which constitutes an impediment to employment.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

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NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Sale of Information

- 2) Code Citation: 92 Ill. Adm. Code 1002

- 3)

<u>Section Number</u>	<u>Proposed Action</u>
1002.20	Amendment
1002.30	Amendment
1002.42	New Section
1002.45	Amendment
1002.60	Amendment
1002.70	Amendment

- 4) Statutory Authority: Implementing and authorized by Sections 2-104, 2-107, and 2-123 of the Illinois Vehicle Title and Registration Law [625 ILCS 5/2-104, 2-107, and 2-123], and 123 U.S.C. 2721.

- 5) A Complete Description of the Subjects and Issues Involved: The Driver's Privacy Protection Act (123 U.S.C. 1271) enacted by Congress on August 24, 1994 prohibits the disclosure of personal information for commercial purposes unless the individual is provided with a clear and conspicuous opportunity to "opt out" of the sales list. The Secretary of State has decided to increase the privacy protection of individual citizens above and beyond the measures required by the federal law. This rule will end the Secretary of State's sale of driver and vehicle information for commercial solicitation purposes, thereby eliminating the need for drivers and vehicle owners to "opt out". Section 2-123(b) of the Vehicle Code [625 ILCS 5/2-123] provides that the sale of information is within the discretion of the Secretary.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporation by reference? No

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days to:

Carol Sudman
General Counsel's Office
Room 298, Howlett Building
Springfield, IL 62756
217/785-3094

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NOTICE OF PROPOSED AMENDMENT(S)

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: This rule will affect direct marketers who purchase the list for commercial solicitation purposes. This rule will not affect sales of the list to persons who fall within the federal exemptions, such as researchers, insurance companies, etc. Small municipalities and not for profit corporations are not affected.
- B) Reporting, bookkeeping or other procedures required for compliance: No additional reporting requirements are imposed.
- C) Types of professional skills necessary for compliance: No professional skills are relevant to this rulemaking.

- 13) State reason(s) for this rulemaking if it was not included in either of the two most recent regulatory agendas: This rule was not included in either of the two most recent regulatory agendas because: The Secretary of State's policy for the implementation of the federal law had not yet been determined.

The full text of the proposed rules begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1002
SALE OF INFORMATION

Section	Title
1002.10	Applicability
1002.20	Definitions
1002.30	Fees
1002.40	Requests
1002.42	Impermissible Uses of Personal Information
1002.45	Request for an Individual's Driving, Registration, or Title Information
1002.50	Lists of Purchasers
1002.60	Contract
1002.70	Public Records
1002.80	Lists of Licenses
1002.90	Social Security Numbers

AUTHORITY: Implementing Section 2-123, and authorized by Sections 2-104, 2-107, and 2-123, of the Illinois Vehicle Title and Registration Law [625 ILCS 5/2-123, 2-104 and 2-107], and 123 U.S.C. 2721.

SOURCE: Emergency rules adopted at 7 Ill. Reg. 11760, effective September 14, 1983; adopted and codified at 8 Ill. Reg. 2522, effective February 11, 1984; amended at 16 Ill. Reg. 13088, effective August 11, 1992; amended at 18 Ill. Reg. 18118, effective December 9, 1994; amended at 20 Ill. Reg. _____, effective _____.

Section 1002.20 Definitions

"Attorney" - an individual who is licensed to practice law

"Automobile associated businesses" - shall include but not be limited to new or used vehicle dealerships, vehicle rental agencies, and tow truck operators

"Commercial Purchasers" - individuals and business entities who enter into a written agreement to buy all or a portion of the driver's, title, or vehicle list or individual records in bulk.

"Commercial Solicitation Purposes" - the use of the drivers, vehicle Drivers or title list title-list to contact individuals for advertising, offering for sale, marketing or sale of products or services; or identifying potential employees, except for the United States armed forces.

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"Director" - the Director or Acting Director of either Driver Services or Vehicle Services, depending on the context

"Driver Services" - the Department of Drivers Services of the Office of the Secretary of State

"Drivers list" - the entire list or any part thereof of all licensed drivers by the State of Illinois, the information contained on the list includes the driver's name, address, weight, height, sex, color of eyes, color of hair, and date of birth, county of residence, zip code, license, classification, license restriction codes, and license issue and expiration dates

"Driving abstract" - a record kept by the Department of Drivers Services on each driver licensed by the State of Illinois, containing all information required by Section 6-106(b) of the Illinois Vehicle Code, and all records of each driver's violations of the traffic laws, and administrative actions pertaining to driving privileges

"DUI listing" - a periodic listing of persons who have been convicted of Driving Under the Influence or have a statutory summary suspension or any suspension resulting from the receipt of the Sworn Report issued to a driver as the result of an alcohol or drug related traffic violation and/or revocation in effect on his/her driving record. The listing contains the person's name, driver's license number, address, and length of suspension and revocation

"Employers" - individuals or business entities, which permit individuals to work, when requesting information concerning current or prospective employees

"Financial institutions" - banks, savings and loans, and credit unions, but shall not include currency exchanges

"Government agencies" - units of local, State state, or federal governmental agencies or elected governmental officials, including, but not limited to, Representatives, Senators, Congressmen, park board members, county board members, and school districts

"Insurers" - any insurance agent or company as defined in Section 2(e) of the Illinois Insurance Code authorized by the laws of any state to transact the business of insurance, and shall include all employees of such agent or company

"Law Enforcement Officials" - police agencies, state's attorneys' offices or court officials

"News medium" - any newspaper or other periodical issued at regular

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intervals and having a general circulation; a news service; a radio station; a television station; a community antenna television service; and any person or corporation engaged in the making of news reels or other motion picture news for public showing

"Office" - the Office of the Secretary of State and not any particular department, address, or location

"Other business entities for purposes consistent with the Illinois Vehicle Code" - licensed remitters when requesting title or registration information; public libraries, public educational institutions, and private educational institutions when requesting driving records, or registration or title information

"Personally identifiable information" or "personal information" - for ~~for~~ driving records, the information regarding the driver's address, telephone number, driver's license number, weight, height, sex, color of eyes, color of hair, date of birth, restrictions, or endorsements and classification codes of the driver's license, county of residence, and zip code, Circuit Court County which imposed the conviction or County of venue for driver's license sanctions; for title or vehicle records, the information regarding the vehicle owner's address, county of residence, and telephone number or registration owner's address, county of residence, and telephone number

"Reporters" - any person regularly engaged in the business of collecting, writing or editing news for publication through a news medium; and includes any person who was a reporter at the time the information sought was procured or obtained

"Request" - the written application upon the designated form or an acceptable alternative for the obtaining of a drivers list, vehicle list, title list, or a driving abstract

"Secretary" - the Secretary of State of Illinois

"Section 2-123" - Section 2-123 of the Illinois Vehicle Code [625 ILCS 5/2-123]

"Title list" - the list of all vehicles titled by the State of Illinois

"Vehicle list" - the list of all vehicles by identification number, with the name and address of the owners, which are registered by the State of Illinois

"Vehicle Services" - the Department of Vehicle Services of the Office of the Secretary of State

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(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 1002.30 Fees

Drivers, vehicle, and title information shall not be sold for commercial solicitation purposes.

a) Fees for lists:

- 1) The fee for the sale of drivers list pursuant to paragraph (a) of Section 2-123 is \$500.00.
- 2) The fee for the sale of a drivers list pursuant to paragraph (b) of Section 2-123 is \$200 plus \$20 per 1,000 names, with a minimum cost of \$500.00.

b) The fees for title and vehicle information provided to public entities pursuant to Section 2-123(a) shall be as follows:

- 1) for title lists or parts thereof, \$600;
- 2) for lists of recent title transactions, \$100;
- 3) for passenger vehicle lists or parts thereof, \$300;
- 4) for miscellaneous vehicle lists or parts thereof, \$200;
- 5) for International Reciprocity Plan vehicle lists or parts thereof, \$100;
- 6) for computer searches of specific vehicle registration plate numbers, \$100.

c) The fees for title and vehicle information provided to private entities pursuant to Section 2-123(b) shall be as follows:

- 1) for title lists or parts thereof, \$200 plus \$20 per 1,000 records, or the actual cost or \$600, whichever is greater;
- 2) for lists of recent title transactions, \$200 plus \$20 per 1,000 records, or the actual cost, whichever is greater;
- 3) for passenger vehicle lists or parts thereof, \$200 plus \$20 per 1,000 records, or the actual cost of \$300, whichever is greater;
- 4) for International Reciprocity Plan vehicle lists or parts thereof, \$200 plus \$20 per 1,000 records or the actual cost thereof, whichever is greater;
- 5) for computer searches of specific vehicle registration plate numbers, \$200 plus \$20 per 1,000 records, or the actual cost thereof, whichever is greater.

d) The information sold pursuant to subsection paragraph (a) or paragraph (b) of this Section shall be provided on computer tape furnished by the purchaser. Such information as requested will be provided on standard computer paper for an additional fee of 50¢ per page; the maximum number of records that may be so provided shall be 15,000 per request.**e) The fees for additional copies of registration lists provided to public entities pursuant to Section 2-123(d) shall be as follows:**

- 1) for a complete list, \$80;
- 2) for a partial list (up to one-half of the complete list), \$40.

f) The fees for registration lists provided pursuant to Section 2-123(e)

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shall be as follows:

- 1) for a complete list, \$400;
 - 2) for a partial list (up to one-half of the complete list), \$200
- g) The information sold pursuant to subsection paragraph (e) or paragraph (f) of this Section shall be provided on microfiche.
- h) All fees, other than those paid by governmental agencies, shall be paid in advance of the delivery of any list to any purchaser.
- i) Fees for information supplied by means of computer connections between the Secretary's computers and those of any other agency, corporation, or person may be paid on a daily or monthly basis for all information delivered during that day or month, as determined by the Secretary and the agency or person to be the economically simplest way of billings.
- j) No fees shall be charged from those local, State, and Federal government agencies who obtain information from the Secretary to enforce criminal laws.
- k) Computer terminal connections to the Secretary's computer may be provided to other State agencies. This service may be made available at no charge so long as the requesting agency incurs all terminal costs and so long as the service does not substantially increase costs or network traffic on the Secretary's computer.
- l) Computer terminal connection may be allowed to non-governmental agencies provided that the expense of the equipment and communication cost are borne by the non-governmental agency. The allowance of computer terminal connections shall be contingent upon the best interests of the Office of the Secretary of State, which is based upon the volume of requests received, the cost-effectiveness of providing the information through computer terminal connections as opposed to other methods, and other factors which may impede the operations of the Office of the Secretary of State. This service will be suspended at any time, should the connection interfere with the Secretary's internal work schedules and processing.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

1002.42 Impermissible Uses of Personal Information

The Secretary of State shall not sell personal information from the drivers, vehicle or title lists for commercial solicitation purposes, as defined in this Part.

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 1002.45 Request for an Individual's Driving, Registration, or Title Information

- a) If a request is made for an individual's driving record, title, or

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registration information, the individual shall be notified by the Secretary of the request and the identity of the requestor. No information shall be released to the requestor until 10 days have elapsed from the date notice was mailed to the individual by the Secretary. No personally identifiable information shall be released to a requestor.

b) The notification, 10-day waiting period, and non-disclosure of personally identifiable information provisions shall not apply to requests made by law enforcement officials, government agencies, financial institutions, attorneys, insurers, employers, automobile associated businesses, family members with expressed consent, the individual himself, reporters or news media, other business entities for purposes consistent with the Illinois Vehicle Code, and entities which register with the Illinois Department of Revenue in compliance with the Retail Occupation Tax Act (86 Ill. Adm. Code 270) when requesting information based upon an existing business relationship with an individual. The exemption to the notification, 10 day waiting period, and non-disclosure of personally identifiable information provisions shall apply to the aforementioned requestors or to an authorized agent of the requestor acting within the scope of their employment if such use is related to the operation of a motor vehicle or public safety.

c) Requests made by the groups outlined in subsection (b) of this Section shall be exempt from the notification, 10-day waiting period, and non-disclosure of personally identifiable information requirements only if the request is made for an official business purpose which shall be documented by the requestor on the request form submitted to the Secretary.

d) The notification, 10-day waiting period, and non-disclosure of personally identifiable information outlined in subsection (a) of this Section shall not apply to bulk sale requests which are made through computer tapes or other data processing medium. If an individual requests that his personally identifiable information not be used for commercial solicitation purposes, the Secretary shall document said record that it shall not be used in that manner or the Secretary may withhold said records from the purchaser. Information disclosed pursuant to this Section shall not be used for commercial solicitation purposes. All requests made by individuals that their personally identifiable information not be used for commercial solicitation purposes shall be on original forms prescribed and furnished by the Secretary. Such forms shall be distributed directly by the Secretary to an individual who makes the request to the Secretary in person by telephone or by mail. The forms shall only be requested and submitted by an individual in connection with his own personally identifiable information and the form must be signed by the individual. No copies or reproductions of the form shall be accepted by the Secretary and the forms shall be submitted separately from all other title and registration documents. Information identifying

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advantages and disadvantages of withholding personally identifiable information for commercial solicitation purposes shall be prepared by the Secretary and set forth in or accompany each form distributed by the Secretary. The decision of an individual to withhold personally identifiable information for commercial solicitation purposes shall be revocable.

e) Personally identifiable information shall be withheld from exempted entities listed in subsection (b) above if the individual about whom an inquiry is made submits a valid court order of protection to the Secretary. This non-disclosure shall apply for the duration of the court order; however, law enforcement officials and government agencies shall always have access to this personally identifiable information.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 1002.60 Contract

All commercial or business purchasers of the drivers, vehicle, or title lists shall sign a contract with the Secretary, which shall include disclosure of the commercial use, which shall not include commercial solicitation purposes, or disclosure of the permissible use of personal information, if applicable, and shall contain those terms he/she deems necessary and appropriate to protect the integrity of the lists, including but not limited to, a requirement that a name preference list maintained by a recognized trade association be used to delete names of persons who do not wish to have their name sold; that the list will not be used for criminal or immoral purposes, that violation of any terms could result in the Secretary's denial of sale of the lists to the purchaser for a term of 5 five years, and the return of the vehicles, titles or drivers list to the Secretary. Any authorized recipient that resells or rediscloses personal information covered by this Part must keep for a period of 5 years records identifying each person or entity that receives information, and the permitted purpose for which the information will be used, and must make such records available to the Secretary of State upon request. A title list shall not include the name and address of any itemholder if the request is made for commercial solicitation purposes.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 1002.70 Public Records

a) The drivers lists, title lists, vehicle lists, and lists of purchasers for of these lists are public records and may be examined, and purchased for the appropriate fees by anyone for a legitimate and lawful purpose and use.

b) The Secretary may sell the lists in their entirety on the medium he

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deems most economical and efficient, or in any reasonable part, such as by county or counties, age group, zip code groups, make or model of car, restriction codes, license issue data, license expiration data, city, or other governmental or geographic division. No listing shall be prepared and sold by the Secretary to any person or organization for commercial solicitation purposes. Lists shall not be available as ~~where the request is a list~~ compiled by any form of driver's license sanction; i.e. suspension, revocation, cancellation, or denial. No list will be prepared and sold by the Secretary for any person or organization for commercial purposes where the request is for the Secretary to extract from a larger group certain persons or types of persons to be solicited by the requestor, when the requestor, by the purchase of the larger group of names, titles, or registrations could extract the information sought.

c) The DUI listing shall only be made available if the person requesting the list states the specific purpose for the request and the purpose is not for personal or commercial benefit nor solicitation purposes.

d) ~~if an individual requests that his personally identifiable information not be used for commercial solicitation purposes, the Secretary shall document said record that it shall not be used in that manner or the Secretary may withhold said records from the purchaser. All requests made by individuals that their personally identifiable information not be used for commercial solicitation purposes shall be on original forms prescribed and furnished by the Secretary. Such forms shall be distributed directly by the Secretary to an individual who makes the request to the Secretary in person, by telephone or by mail. The forms shall only be requested and submitted by an individual, in connection with his own personally identifiable information and the form must be signed by the individual. No copies or reproductions of the form shall be accepted by the Secretary and the forms shall be submitted separately from all other title and registration documents. Information identifying advantages and disadvantages of withholding personally identifiable information for commercial solicitation purposes shall be prepared by the Secretary and set forth in or accompany each form distributed by the Secretary. The decision of an individual to withhold personally identifiable information for commercial solicitation purposes shall be revocable.~~

(Source: Amended at 20 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping
- 2) Code Citation: 17 Ill. Adm. Code 570
- 3) Section Numbers: Adopted Action:
570.20 Amendments
570.30 Amendments
570.40 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5].
- 5) Effective Date of Rulemaking: August 30, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 30, 1996
- 9) Notice of Proposal Published in Illinois Register: April 26, 1996, 20 Ill. Reg. 5948
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
In Section 570.30(d), "none" was replaced with "None".
In Section 570.40(c), "Site M (only Egg Traps (Registered Trademark), D-P (Dog-Proof) Traps (Registered Trademark), box traps, cage traps, and traps of similar design may be used)" was added.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to increase season length and modify hours in the North and South Zones; to add one species to list of legal species; to establish daily and possession limits for added species; and to open two new sites to trapping.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield, Illinois 62701-1787
(217) 782-1809

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 570

MUSKRAT, MINK, RACCOON, OPOSSUM, STRIPED SKUNK, WEASEL,
RED FOX, GRAY FOX, COYOTE, BADGER, BEAVER AND WOODCHUCK (GROUNDHOG)
TRAPPING

Section

570.10 Statewide Zones

570.20 Statewide Season Dates

570.30 Statewide Hours, Daily Limit and Possession Limit

570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 2.30, 2.33 and 3.5].

SOURCE: Adopted at 5 Ill. Reg. 9767, effective September 17, 1981; codified at 5 Ill. Reg. 10637; amended at 6 Ill. Reg. 10709, effective August 20, 1982; amended at 7 Ill. Reg. 10778, effective August 24, 1983; amended at 8 Ill. Reg. 21589, effective October 23, 1984; amended at 9 Ill. Reg. 15864, effective October 7, 1985; amended at 10 Ill. Reg. 16644, effective September 24, 1986; amended at 12 Ill. Reg. 12034, effective July 7, 1988; emergency amendments at 12 Ill. Reg. 16261, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; amended at 13 Ill. Reg. 10589, effective June 15, 1989; amended at 14 Ill. Reg. 14775, effective September 4, 1990; amended at 14 Ill. Reg. 19854, effective December 3, 1990; amended at 15 Ill. Reg. 11586, effective August 2, 1991; amended at 16 Ill. Reg. 11069, effective June 30, 1992; amended at 17 Ill. Reg. 10785, effective July 1, 1993; amended at 17 Ill. Reg. 18796, effective October 19, 1993; amended at 18 Ill. Reg. 10077, effective June 21, 1994; amended at 19 Ill. Reg. 12640, effective August 29, 1995; amended at 20 Ill. Reg. 12351, effective AUG 3 0 1996.

Section 570.20 Statewide Season Dates

- a) Muskrat, mink, raccoon, opossum, striped skunk and weasel
- 1) Northern Zone: November 5 through the next following January 10 5.
 - 2) Southern Zone: November 10 ±5 through the next following January 15.
- b) Red fox, gray fox, and coyote and badger
Statewide: November 10 ±5 through the next following January 15.
- c) Beaver
- 1) Northern Zone: November 5 through the next following March 31, except those portions of Carroll, Whiteside, and Rock Island counties lying west of Illinois Rt. 84 from Interstate 80 north

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to the Jo Daviess County line will be open to beaver trapping only from November 10 5 through the next following January 5, inclusive.

- 2) Southern Zone: November 10 15 through the next following March 31.

d) Woodchuck (Groundhog)

Northern and Southern Zones: June 1 through the next following September 30.

(Source: Amended at 20 Ill. Reg. 12351, effective

AUG 3 6 1996)

Section 570.30 Statewide Hours, Daily Limit and Possession Limit

a) Muskrat, mink, raccoon, opossum, striped skunk and weasel

- 1) Trapping hours: November 5 in the Northern Zone and November 10 15 in the Southern Zone open for trapping at sunrise; January 10 5 in the Northern Zone and January 15 in the Southern Zone closed for trapping after sunset; otherwise, hours are unrestricted.

- 2) Daily and possession limit: None

b) Red fox, gray fox and coyote

- 1) Trapping hours: November 10 15 open for trapping at sunrise; January 15 closed for trapping after sunset; otherwise, hours are unrestricted.

- 2) Daily and possession limit: None

c) Beaver

- 1) Trapping hours: November 5 in the Northern Zone and November 10 15 in the Southern Zone open for trapping at sunrise; March 31 closed for trapping after sunset except those portions of Carroll, Whiteside and Rock Island Counties lying west of Illinois R. 84 from Interstate 80 north to the Jo Daviess County line, are closed for trapping January 10 5 after sunset; otherwise, hours are unrestricted.

- 2) Daily and possession limit: None

d) Woodchuck (groundhog)

- 1) Trapping hours: June 1 open for trapping at sunrise; September 30 closed for trapping after sunset; otherwise hours are unrestricted.

- 2) Daily and possession limit: None none

e) Badger

- 1) Trapping hours: November 10 open for trapping at sunrise; January 15 closed for trapping at sunset; otherwise hours are unrestricted.

- 2) Daily and possession limit: not to exceed two badgers per season in the northern zone and one badger per season in the southern zone.

(Source: Amended at 20 Ill. Reg. 12351, effective

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Section 570.40 Trapping Regulations on Department-Owned, -Leased or -Managed Sites

a) General Regulations

- 1) All the regulations in 17 Ill. Adm. Code 510--General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

- 2) On areas where special Department tags are required for trappers, traps without tags attached will be subject to confiscation.

- 3) Trappers must stay within assigned areas.

- 4) For sites where permits are required a drawing shall be held prior to the opening of the season. The date of the drawing shall be announced by the Department by public announcement and the drawing shall be held at the site. Persons participating in the drawing must have either a current or previous year trapping license. The number of permits per site shall be determined pursuant to 17 Ill. Adm. Code 510.20. Permit applicants must submit name and address to the site prior to drawing. Permits must be in possession while trapping on the area.

- 5) All sites except Blanding Wildlife Area, Kinkaid Lake Fish and Wildlife Area, Mississippi River Pools 16, 17, 18, 21, 22, 24, and Rend Lake Wildlife Management Area require trappers to submit a harvest report to the site superintendent within 20 days following the close of the trapping season. Failure to report shall result in the trapper being ineligible to trap at that site for the following year.

- 6) Body-gripping traps with a 10-inch jaw spread or larger must be totally submerged in water when set.

- 7) Any person who violates the site specific regulations shall be guilty of a Class B Misdemeanor.

- 8) No trapping is permitted in subimpoundments or designated waterfowl management units during duck season.

- b) Statewide regulations as provided for in this Part apply at the following sites (exceptions in parentheses):

Blanding Wildlife Area (trapping area includes the islands and associated backwater sloughs immediately upstream from Lock and Dam 12; no trapping on mainland)

Kinkaid Lake Fish and Wildlife Area

Mississippi River Pools 16, 17, 18, 21, 22, 24

Pyramid State Park (water sets only)

Rend Lake Project Lands and Waters (water sets only)

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Siloam Springs State Park

- c) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps, D-P (Dog-Proof) Traps, box traps, cage traps, and traps of similar design may be used for land sets (exceptions in parentheses):

Cache River State Natural Area

Carlyle Lake Lands and Waters - Corps of Engineers Managed Lands

Carlyle Lake Wildlife Management Area

Clinton Lake Recreation Area

Coffeen Lake State Park

Dog Island Wildlife Management Area

Eldon Hazlet State Park - north of Allen Branch and west of Peppenhorst Branch only

Ferne Clyffe State Park - Cedar Draper Bluffs Hunting Area

Fort de Chartres Historic Site

Horseshoe Lake Conservation Area

I & M Canal State Park

Kaskaskia River Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to duck season)

Kidd Lake State Natural Area

Lake Shelbyville Eagle Creek Wildlife Management Area

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area

Mermet Lake Fish and Wildlife Area

Mississippi River Fish and Waterfowl Area (Pools 25, 26)

Moraine Hills State Park (water sets only; only body-gripping traps with a jaw spread of 5 inches or less may be used; no more than two persons may enter drawing on a single card)

Panther Creek Conservation Area

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Peabody River King Fish and Wildlife Area (west subunit only)

Randolph County Conservation Area

Redwing Slough/Deer Lake State Natural Area (water sets only; only body gripping traps with a jaw spread of 5-6 inches or less may be used)

Sanganois Fish and Wildlife Area

Site M (only Egg Traps (Registered Trademark), D-P (Dog Proof) Traps (Registered Trademark), box traps, cage traps, and traps of similar design may be used)

Ten Mile Creek State Fish and Wildlife Area

Turkey Bluffs Fish and Wildlife Area

Washington County Conservation Area

- d) Statewide regulations as provided for in this Part apply at the following sites; in addition, a permit is required; only Egg Traps, D-P (Dog-Proof) Traps, box traps, cage traps, and traps of similar design may be used for land sets; only body-gripping traps with a jaw spread of 5 inches or less, foothold traps with a jaw spread of 4 1/2 inches or less and square body-gripping traps with a 10 inch jaw spread may be used for water sets (exceptions in parentheses):

Anderson Lake Conservation Area

Argyle Lake State Park

Banner Marsh State Fish and Wildlife Area

Big Bend Fish and Wildlife Area (after the close of rabbit season foothold traps with a jaw spread of 7 1/2 inches or less may be used for water sets)

Coleta Ponds

Giant City State Park

Hennepin Canal Parkway including Sinnissippi Lake (trappers must register at park office; no floats may be set more than 14 days prior to the season and must be removed at the conclusion of the season; no land sets)

Horseshoe Lake State Park-Madison County

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Johnson-Sauk Trail State Park
 Lake Le-Aqua-Na State Park
 Mackinaw River State Fish and Wildlife Area
 Marshall County Fish and Wildlife Area
 Morrison Rockwood State Park
 Rice Lake Fish and Wildlife Area
 Rock Cut State Park
 Sangchris Lake State Park
 Shabbona Lake State Park
 Sparland Fish and Wildlife area
 Spring Lake Conservation Area
 Trail of Tears State Forest
 Union County Conservation Area

e) Trapping is prohibited on all other Department-Owned, -leased or -managed sites except by special permit which shall be issued by the Department when it is determined that the harvest of a species would enhance the biological balance of the resource.

- 1) All regulations shall be according to species regulations as provided for in this Part.
- 2) Permit application information and site specific regulations shall be announced publicly by the Department through the news media by September 1 of each year.
- 3) Site specific regulations shall be listed on the application and permit and posted at the site.

(Source: Amended at 20 Ill. Reg.

12351,

effective

AUG 9 1996

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1) Heading of the Part: Valuation of Life Insurance Policies Including The Use of Select Mortality Factors

2) Code Citation: 50 Ill. Adm. Code 1409

3) Section Number: Adopted Action:

1409.10 Adopted

1409.20 Adopted

1409.30 Adopted

1409.40 Adopted

1409.50 Adopted

1409.60 Adopted

APPENDIX A

Illustration A Adopted

Illustration B Adopted

Illustration C Adopted

Illustration D Adopted

Illustration E Adopted

Illustration F Adopted

4) Statutory Authority: Implementing Section 223 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223 and 401].

5) Effective Date of Rule: September 3, 1996

6) Does this Rule contain an automatic repeal date? No

7) Does this Rule contain incorporations by reference? Yes, the incorporation can be found in the first definition in Section 1409.30 of this Part.

8) Date filed in Agency's Principal Office: September 3, 1996

9) Notice of Proposal Published in Illinois Register: March 1, 1996; 20 Ill. Reg. 3695

10) Has JCAR issued a Statement of Objections to this Rule? No

11) Difference(s) between proposal and final version:

a) In the title - Change "(INCLUDING THE INTRODUCTION AND USE OF NEW SELECT MORTALITY FACTORS)" to "INCLUDING THE USE OF SELECT MORTALITY FACTORS".

b) In the main source note - Delete "effective January 1, 1997".

c) Section 1409.20 - Add:

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"a) For purposes of this Section, the "applicability date" of this Part is January 1 of the calendar year immediately following the adoption of substantially similar requirements by states with an aggregate population of at least 51% of the total population of the United States of America, according to the most recent General Federal Census."

Note: The Department agrees that as soon as the applicability date, as defined in Section 1409.20(a) and (b), is known, it will initiate a rulemaking to specify the proper applicability date.

- d) Section 1409.20 - On the first line, add "b)" before "This".
- e) Section 1409.20 - On the second line, change "effective" to "applicability".
- f) Section 1409.20 - Change "a)" and "b)" to "1)" and "2)", respectively.
- g) Section 1409.20 - Change "1)" through "4)" to "A)" through "D)", respectively.
- h) Section 1409.20 - Change "1)" and "2)" to "A)" and "B)", respectively.
- i) Section 1409.20(b)(2) - On the sixth line, delete "(5)".
- j) Section 1409.30 - On the fifth line, delete "hereinafter" and change "(NAIC)" to "(NAIC)".
- k) Section 1409.30 - In the third definition on the last line, change "subsection 1409.40(b)" to "subsection (b) of Section 1409.40".
- l) Section 1409.30 - In the fourth definition on the second line, remove italics from "t".
- m) Section 1409.30 - In the fourth definition on the eighteenth line, change the semicolon to a period.
- n) Section 1409.30 - In the fourth definition on the nineteenth and twenty-fourth lines, remove italics from "t", and on the twentieth line, change the semicolon to a period.
- o) Section 1409.30 - In the seventh definition on the fifth line, change "subsection 1409.60(a)(3)" to "subsection (a)(3) of Section 1409.60". Also, change "subsection 1409.60(a)(4)" to "subsection (a)(4) of Section 1409.60".
- p) Section 1409.30 - In the ninth definition on the thirteenth line, change "subsection 1409.50(d)" to "subsection (d) of Section 1409.50".

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- q) Section 1409.30 - In the ninth definition, the fourth indented paragraph, on the first line, add "as measured from the actual issue date," after "only".
- r) Section 1409.30 - At the end of the ninth definition add, "Segments are determined at issue of the policy and redetermined after any post-issue premium guarantee. In the event of a post-issue premium guarantee, the effective date of the post-issue premium guarantee is assumed to be the issue date of the policy and segments are determined prospectively from that date. The mortality rates used to determine segments after a post-issue premium guarantee must be the same rates by attained age as used in the determination of segments made at issue of the policy." This language should be added at the same level of indentation as the previous paragraph.
- s) Section 1409.30 - In the twelfth definition after the second indented paragraph, add "Any negative terminal reserves are set to zero". This language should be added at the same level of indentation as the paragraph which immediately precedes it.
- t) Section 1409.30 - The twelfth definition at the end of the second indented paragraph, change the period to semicolon and add "and" after "policy".
- u) Section 1409.40(a)(2)(B) - On the first line, delete "One hundred fifty percent" and parenthesis.
- v) Section 1409.40(a)(2)(C) - On the first line, delete "One hundred fifty percent" and parenthesis. Also, on the third line, delete "(10)". Also, on the fifth line, delete "One hundred percent" and parenthesis. On the last line, delete "sixteen" and parenthesis.
- w) Section 1409.40(b)(1)(B) - On the first line, delete "One hundred twenty percent" and parenthesis.
- x) Section 1409.40(b)(1)(C) - On the first line, delete "One hundred twenty percent" and parenthesis. On the third line, delete "(10)". On the fifth line, delete "One hundred percent" and parenthesis. Also, on the last line, delete "sixteen" and parenthesis.
- y) Section 1409.40(b)(2) - On the fifth line, delete "(5)". Also, on the sixth line, add "the actual" after "from" and add "date" after "issue".
- z) Section 1409.40(d) - On the first line, add "(d)" after "subsection". Also, on the fourth line, delete "(10)".
- aa) Section 1409.50(b)(3) - On the last line, change "sub-section

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- 1409.40(b)" to "subsection (b) of Section 1409.40".
- bb) Section 1409.50(d)(1) - On the seventh and ninth lines, remove *italics* from "n".
- cc) Section 1409.50(d)(2) - On the fourth line, remove *italics* from "n".
- dd) Section 1409.50(d)(2)(A) - On the first line, remove *italics* from "n".
- ee) Section 1409.50(d)(2)(B) - On the first line, remove *italics* from "n".
- ff) Section 1409.50(d)(2)(C) - On the first line, add "(d)(2)(C)" before "(i)" and "(ii)". On the second line, delete "as follows" and add a period after "(ii)".
- gg) Section 1409.50(d)(2)(C)(i) - On the second, third, fourth and last lines, remove *italics* from "n".
- hh) Section 1409.50(d)(2)(C)(ii) - On the second and third lines, remove *italics* from "n".
- ii) Section 1409.50(d)(3)(A) - On the first line, delete "One hundred ten percent" and parenthesis.
- jj) Section 1409.50(d)(3)(B) - On the first line, delete "One hundred ten percent" and parenthesis.
- kk) Section 1409.50(d)(3)(C) - On the first line, delete "Five percent" and parenthesis.
- ll) Section 1409.50(f)(6)(A) - On the third line, change the semicolon to a comma.
- mm) Section 1409.50(f)(6)(B) - On the first line, delete "(B)" and change "The" to "the".
- nn) Section 1409.50(f)(6)(C) - On the first line, change "(C)" to "B)".
- oo) Section 1409.50(g) - On the first line, remove *italics* from "n".
- pp) Section 1409.50(g)(1) - On the first, third and fourth lines, remove *italics* from "n".
- qq) Section 1409.50(g)(2) - On the first line, remove *italics* from "n".
- rr) Section 1409.50(h)(1) - On the first line, delete "twenty-four" and parenthesis.

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- ss) Section 1409.50(h)(2) - On the second line, delete "twenty-five" and parenthesis.
- tt) Section 1409.60(a)(1)(A) - On the third line, delete "(5)".
- uu) Section 1409.60(a)(5) - On the sixth line, change "subsection 1409.40(a)(1)(B) and (C)" to "subsections (a)(1)(B) and (C) of Section 1409.40 of this Part".
- vv) Section 1409.60(a)(5) - On the seventh line, change "1409.40(b)(1)(B) and (C)" to "subsections (b)(1)(B) and (C) of Section 1409.40 of this Part".
- ww) Section 1409.60(c) - On the fourth line, change "sub-section 1409.50(b)" to "subsection (b) of Section 1409.50".
- xx) Section 1409.60(d) - On the last line, change "guarantees" to "guarantee".
- yy) Section 1409.Appendix A - On the third line, change "subsection 1409.40(a)(1)(B) and (C)" to "subsections (a)(1)(B) and (C) of Section 1409.40". Also, change "subsection 1409.40(b)(1)(B) and (C)" to "subsections (b)(1)(B) and (C) of Section 1409.40 are".
- zz) Section 1409.Appendix A(c) - On the fifth line, delete "eighty percent" and parenthesis. Also, on the sixth line, delete "twenty percent" and parenthesis.
- aaa) Section 1409.Illustration A through F - Delete "APPENDIX A" and change "SECTION" to "Section".
- 12) Have all changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this Rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of rulemaking: Part 1409 allows insurance companies to hold lower reserves for their life insurance policies, through the use of lower mortality assumptions. Part 1409 also requires insurers to hold higher reserves for specific types of term policies.
- Part 1409 does not apply to group life insurance certificates unless the certificates provide for a stated or implied schedule of maximum gross premiums required in order to continue coverage in force for a period in excess of one year.

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16) Information and questions regarding this adopted Rule shall be directed to:

Bruce Sartain
Department of Insurance
320 West Washington (or) 320 West Washington
Springfield, IL 62767-0001 Springfield, IL 62767-0001
(217) 785-0903 (217) 782-1794

The full text of the Adopted Rules begins on the next page.

DEPARTMENT OF INSURANCE
NOTICE OF ADOPTED RULES

TITLE 50: INSURANCE
CHAPTER I: DEPARTMENT OF INSURANCE
SUBCHAPTER S: LEGAL RESERVE LIFE
PART 1409
VALUATION OF LIFE INSURANCE POLICIES
INCLUDING THE USE OF SELECT MORTALITY FACTORS

Section	Purpose
1409.10	Application
1409.20	Definitions
1409.30	General Calculation Requirements for Basic Reserves and Deficiency Reserves
1409.40	Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Premiums or Guaranteed Nonlevel Benefits (Other Than Universal Life Policies)
1409.50	Calculation of Minimum Valuation Standard for Flexible Premium and Fixed Premium Universal Life Insurance Policies That Contain Provisions Resulting in the Ability of a Policyowner to Keep a Policy in Force Over a Secondary Guarantee Period of More Than Five Years
1409.60	Base Select Mortality Factors

APPENDIX A

ILLUSTRATION A	Male Aggregate
ILLUSTRATION B	Male Nonsmoker
ILLUSTRATION C	Male Smoker
ILLUSTRATION D	Female Aggregate
ILLUSTRATION E	Female Nonsmoker
ILLUSTRATION F	Female Smoker

AUTHORITY: Implementing Section 223 and authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/223 and 401].

SOURCE: Adopted at 20 Ill. Reg. 12359, effective SEP 03 1996.

Section 1409.10 Purpose

a) The purpose of this Part is to provide:

- 1) Tables of select mortality factors and procedures for their use;
 - 2) Minimum standards for the valuation of plans with nonlevel premiums or benefits;
 - 3) Minimum standards for the valuation of plans with secondary guarantees.
- b) The method for calculating basic reserves defined in this Part will constitute the Commissioner's Reserve Valuation Method for policies to which this Part is applicable.

Section 1409.20 Applicability

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a) For purposes of this Section, the "applicability date" of this Part is January 1 of the calendar year immediately following the adoption of substantially similar requirements by states with an aggregate population of at least 5% of the total population of the United States of America, according to the most recent General Federal Census.

b) This Part shall apply to all life insurance policies, with or without nonforfeiture values issued on or after the applicability date of this Part, subject to the following exceptions and conditions:

1) Exceptions.

A) This Part shall not apply to any individual life insurance policy issued on or after the effective date of this Part if the policy is issued in accordance with, and as a result of the exercise of, a reentry provision contained in the original life insurance policy or any individual life insurance policy of the same or greater face amount, issued before the effective date of this Part that guarantees the premium rates of the new policy. This Part also shall not apply to subsequent policies issued as a result of the exercise of such a provision, or a derivation of the provision in the new policy.

B) This Part shall not apply to any variable life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.

C) This Part shall not apply to any variable universal life insurance policy that provides for life insurance, the amount or duration of which varies according to the investment experience of any separate account or accounts.

D) This Part shall not apply to group life insurance certificates unless the certificates provide for a stated or implied schedule of maximum gross premiums required in order to continue coverage in force for a period in excess of one year.

2) Conditions.

A) Calculation of the minimum valuation standard for policies with guaranteed nonlevel premiums or guaranteed nonlevel benefits (other than universal life policies), or both, shall be in accordance with the provisions of Section 1409.50 of this Part.

B) Calculation of the minimum valuation standard for flexible premium and fixed premium universal life insurance policies, that contain provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period of more than five years, shall be in accordance with the provisions of Section 1409.60 of this Part.

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Section 1409.30 Definitions

1980 CSO Valuation Tables means the Commissioner's 1980 Standard Ordinary Mortality Table (1980 CSO Table) without ten-year selection factors, incorporated into the 1980 amendments to the National Association of Insurance Commissioners (NAIC) Standard Valuation Law, and variations of the 1980 CSO Table approved by the NAIC, such as the smoker and nonsmoker versions approved in December, 1983, as published in the 1984 Proceedings for the NAIC, Vol. 1, p. 31. No later amendments or editions shall be included.

Basic Reserves mean reserves calculated in accordance with Section 223(3)(b) of the Illinois Insurance Code [215 ILCS 5/223(3)(b)].

Contract Segmentation Method means the method of dividing the period from issue to mandatory expiration of a policy into successive segments, with the length of each segment being defined as the period from the end of the prior segment (from policy inception, for the first segment) to the end of the latest policy year as determined in the procedure set forth below in this definition. All calculations are made using the 1980 CSO valuation tables, and if elected, the optional minimum mortality standard for deficiency reserves found in subsection (b) of Section 1409.40 of this Part.

The length of a particular contract segment shall be set equal to the minimum of the value t for which $G[t]$ is greater than $R[t]$ (if $G[t]$ never exceeds $R[t]$ the segment length is deemed to be the number of years from the beginning of the segment to the mandatory expiration date of the policy), where $G[t]$ and $R[t]$ are defined as follows:

$$G[t] = \frac{GP[x + k + t - 1]}{GP[x + k + t - 1]}$$

$$R[t] = \frac{q[x + k + t]}{q[x + k + t - 1]}$$

However, $R[t]$ may be increased or decreased by one percent in any policy year, at the company's option, but $R[t]$ shall not be less than one;

where:

$x =$ original issue age;

$k =$ the number of years from the date of issue to the beginning of the segment;

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$t =$

1, 2, ...; t is reset to 1 at the beginning of each segment.

$$GP[x + k + t - 1] =$$

Guaranteed gross premium per thousand of face amount, ignoring policy fees only if level for the premium paying period of the policy, for year t of the segment.

$$q[x + k + t - 1] =$$

Valuation mortality rate for deficiency reserves in policy year $k + t$.

Deficiency Reserves mean the excess, if greater than zero, of:

Minimum reserves calculated in accordance with Section 223(3)(f) of the Illinois Insurance Code [215 ILCS 5/223(3)(f)], and

Basic reserves.

Maximum Valuation Interest Rates mean the interest rates defined in Section 223(6)(b) of the Illinois Insurance Code [215 ILCS 5/223(6)(b)] that are to be used in determining the minimum standard for the valuation of life insurance policies.

Scheduled Gross Premium means the smallest illustrated gross premium at issue for other than universal life insurance policies. For universal life insurance policies, scheduled gross premium means the smallest specified premium described in subsection (a)(3) of Section 1409.60 of this Part, if any, or else the minimum premium described in subsection (a)(4) of Section 1409.60 of this Part.

Segmented Reserves mean reserves, calculated using segments produced by the contract segmentation method, equal to the present value of all future guaranteed benefits less the present value of all future net premiums to the mandatory expiration of a policy, where the net premiums within each segment are a uniform percentage of the respective gross premiums within the segment. The uniform percentage for each segment is such that, at the beginning of the segment, the present value of the net premiums within the segment equals:

The present value of the death benefits within the segment, plus

The present value of any unusual guaranteed cash value (subsection (d) of Section 1409.50 of this Part) occurring at the end of the segment, less

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Any unusual guaranteed cash value occurring at the start of the segment, plus

For the first segment only as measured from the actual issue date, the excess of the net level annual premium (which is equal to the present value, at the date of issue, of the benefits provided for in the first segment after the first policy year, divided by the present value, at the date of issue, of an annuity of one per year payable on the first and each subsequent anniversary within the first segment on which a premium falls due) over the net one year term premium for the benefits provided for in the first policy year. However, the net level annual premium shall not exceed the net level annual premium on the nineteen-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one year higher than the age at issue of the policy.

The length of each segment is determined by the Contract Segmentation Method.

The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the sum of the lengths of all segments of the policy.

For both basic reserves and deficiency reserves computed by the segmented method, present values must include future benefits and net premiums in the current segment and in all subsequent segments.

Segments are determined at issue of the policy and redetermined after any post-issue premium guarantee. In the event of a post-issue premium guarantee, the effective date of the post-issue premium guarantee is assumed to be the issue date of the policy and segments are determined prospectively from that date. The mortality rates used to determine segments after a post-issue premium guarantee must be the same rates by attained age as used in the determination of segments made at issue of the policy.

Tabular Cost of Insurance means the net single premium at the beginning of a policy year for one-year term insurance in the amount of the guaranteed death benefit in that policy year.

Ten-year Select Factors mean the select factors adopted in the 1980 amendments to the NAIC Standard Valuation Law.

Unitary Reserves mean the present value of all future guaranteed

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benefits less the present value of all future modified net premiums, where:

Guaranteed benefits and modified net premiums are considered to the mandatory expiration of the policy; and

Modified net premiums are a uniform percentage of the respective guaranteed gross premiums, where the uniform percentage is such that, at issue, the present value of the net premiums equals the present value of all death benefits and pure endowments, plus the excess of the net level annual premium equal to the present value, at the date of issue, of the benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per year payable on the first and each subsequent anniversary of the policy on which a premium falls due, over the net one year term premium for the benefits provided for in the first policy year. However, the net level annual premium shall not exceed the net level annual premium on the nineteen-year premium whole life plan of insurance of the same renewal year equivalent level amount at an age one year higher than the age at issue of the policy; and

Any negative terminal reserves are set to zero.

The interest rates used in the present value calculations for any policy may not exceed the maximum valuation interest rate, determined with a guarantee duration equal to the length from issue to the mandatory expiration of the policy.

Universal Life Insurance Policy means any individual life insurance policy under the provisions of which separately identified interest credits (other than in connection with dividend accumulations, premium deposit funds, or other supplementary accounts) and mortality or expense charges are made to the policy.

Section 1409.40 General Calculation Requirements for Basic Reserves and Deficiency Reserves

a) Basic Reserves.

1) At the election of the company for any one or more specified plans of life insurance, the minimum mortality standard for basic reserves may be calculated using the 1980 CSO valuation tables with select mortality factors.

2) If select mortality factors are elected, they may be:

- A) The ten-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law; or
- B) 150% of the base select mortality factors found in Appendix A of this Part; or

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- C) 150% of the base select mortality factors found in Appendix A of this Part for the first ten policy years; then linearly graded from the resulting tenth year factor to 100% at policy year 16.

b) Deficiency Reserves.

1) Deficiency reserves, if any, are calculated for each policy as the excess, if greater than zero, of the quantity A over the basic reserve. The quantity A is obtained by recalculating the basic reserve for the policy using guaranteed gross premiums instead of net premiums when the guaranteed gross premiums are less than the corresponding net premiums. At the election of the company for any one or more specified plans of insurance, the quantity A and the corresponding net premiums used in the determination of quantity A may be based upon the 1980 CSO valuation tables with select mortality factors. If select mortality factors are elected, they may be:

- A) The ten-year select mortality factors incorporated into the 1980 amendments to the NAIC Standard Valuation Law; or
- B) 120% of the base select mortality factors found in Appendix A of this Part; or
- C) 120% of the base select mortality factors found in Appendix A of this Part for the first ten policy years; then linearly graded from the resulting tenth year factor to 100% at policy year 16.

2) Notwithstanding the above, if the length of the first segment as determined by the contract segmentation method for the basic reserves is not greater than five years (safe harbor), then for that length of time measured from the actual issue date, for either the unitary method or the contract segmentation method, gross premiums need not be substituted for net premiums even if the gross premiums are less than the net premiums. For subsequent periods, gross premiums must be substituted for net premiums if the gross premiums are less than the corresponding net premiums.

3) For any policies for which the company chooses to use the "safe harbor", the company must submit on an annual basis to the Director a statement of actuarial opinion, signed by the appointed actuary certifying that the reserves held for all such policies are adequate.

c) In applying percentages to the base select mortality factors:

- 1) Do not round any result; and
 - 2) Set equal to 100 any result that exceeds 100.
- d) This subsection (d) applies to both basic reserves and deficiency reserves. Any set of base select mortality factors may be used only for the first segment. However, if the first segment is less than ten years, the appropriate ten-year select mortality factors may be used thereafter through the tenth policy year from the date of issue.
- e) In determining basic reserves or deficiency reserves, gross premiums

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without policy fees may be used where the calculation involves the gross premium but only if the policy fee is a level dollar amount for the entire premium-paying period of the policy. In determining deficiency reserves, policy fees may be included in gross premiums even if not included in the actual calculation of basic reserves.

Section 1409.50 Calculation of Minimum Valuation Standard for Policies with Guaranteed Nonlevel Premiums or Guaranteed Nonlevel Benefits (Other Than Universal Life Policies)

a) Basic Reserves.

Basic reserves shall be calculated as the greater of the segmented reserves and the unitary reserves. Both the segmented reserves and the unitary reserves for any policy must use the same valuation mortality table and selection factors. At the option of the insurer, in calculating segmented reserves and net premiums, either of the adjustments described in subsection (a)(1) or (2) below may be made:

- 1) Treat the unitary reserve, if greater than zero, applicable at the end of each segment as a pure endowment; and subtract the unitary reserve, if greater than zero, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment.
- 2) Treat the guaranteed cash surrender value, if greater than zero, applicable at the end of each segment as a pure endowment; and subtract the guaranteed cash surrender value, if greater than zero, applicable at the beginning of each segment from the present value of guaranteed life insurance and endowment benefits for each segment.

b) Deficiency Reserves.

- 1) This subsection (b) shall apply to any policy for which the guaranteed gross premium at any duration is less than the corresponding modified net premium calculated by the method used in determining the basic reserves, but using the minimum valuation standards of mortality (specified in subsection (b) of Section 1409.40 of this Part) and rate of interest.

- 2) The deficiency reserve at any duration shall be calculated:

- A) On a unitary basis if the corresponding basic reserve determined by subsection (a) above is unitary;
- B) On a segmented basis if the corresponding basic reserve determined by subsection (a) above is segmented; or
- C) On the segmented basis if the corresponding basic reserve determined by subsection (a) above is equal to both the segmented reserve and the unitary reserve.

- 3) Deficiency reserves, if any, shall be calculated for each policy as the excess if greater than zero, for the current and all remaining periods, of the quantity A over the basic reserve, where A is obtained as indicated in subsection 1409.40(b) of this Part.

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- 4) For deficiency reserves determined on a segmented basis, the quantity A is determined using segment lengths equal to those determined for segmented basic reserves.

c) Minimum Value.

Basic reserves may not be less than the tabular cost of insurance for the balance of the policy year, if mean reserves are used. Basic reserves may not be less than the tabular cost of insurance for the balance of the current modal period or to the paid-to-date, if later, but not beyond the next policy anniversary, if mid-terminal reserves are used. The tabular cost of insurance must use the same valuation mortality table, select mortality factor and interest rates as that used for the calculation of both the segmented and the unitary reserves. In no case may total reserves (including basic reserves, deficiency reserves and any reserves held for supplemental benefits that would expire upon contract termination) be less than the amount that the policyowner would receive (including the cash surrender value of the supplemental benefits, if any, referred to above), exclusive of any deduction for policy loans, upon termination of the policy.

d) Unusual Pattern of Guaranteed Cash Surrender Values.

- 1) For any policy with an unusual pattern of guaranteed cash surrender values, the reserves actually held prior to the first unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the first unusual guaranteed cash surrender value as a pure endowment and treating the policy as an n year policy providing term insurance plus a pure endowment equal to the unusual cash surrender value, where n is the number of years from the date of issue to the date the unusual cash surrender value is scheduled.

- 2) The reserves actually held subsequent to any unusual guaranteed cash surrender value shall not be less than the reserves calculated by treating the policy as an n year policy providing term insurance plus a pure endowment equal to the next unusual guaranteed cash surrender value, and treating any unusual guaranteed cash surrender value at the end of the prior segment as a net single premium, where:
 - A) n is the number of years from the date of the last unusual guaranteed cash surrender value prior to the valuation date to the earlier of:
 - i) The date of the next unusual guaranteed cash surrender value, if any, that is scheduled after the valuation date; or
 - ii) The mandatory expiration date of the policy; and

- B) The net premium for a given year during the n year period is equal to the product of the net to gross ratio and the respective gross premium; and

- C) The net to gross ratio is equal to (d)(2)(C)(i) divided by (d)(2)(C)(ii).
 - i) The present value, at the beginning of the n year

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period, of death benefits payable during the n year period plus the present value, at the beginning of the n year period, of the next unusual guaranteed cash surrender value, if any, minus the amount of the last unusual guaranteed cash surrender value, if any, scheduled at the beginning of the n year period.

ii) The present value, at the beginning of the n year period, of the scheduled gross premiums payable during the n year period.

3) For purposes of this subsection (d), a policy is considered to have an unusual pattern of guaranteed cash surrender values if any future guaranteed cash surrender value exceeds the prior year's guaranteed cash surrender value by more than the sum of:

A) 110% of the scheduled gross premium for that year;

B) 110% of one year's accrued interest on the sum of the prior year's guaranteed cash surrender value and the scheduled gross premium using the nonforfeiture interest rate used for calculating policy guaranteed cash surrender values; and

C) 5% of the first policy year surrender charge, if any.

e) Optional Exemption for Yearly Renewable Term (YRT) Reinsurance. At the option of the company, the following approach for reserves on YRT reinsurance may be used.

1) Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.

2) Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in subsection (c) of this Section.

3) Deficiency Reserves

A) For each policy year, calculate the excess, if greater than zero, of the valuation net premium over the respective maximum guaranteed gross premium.

B) Deficiency reserves shall never be less than the sum of the present values, at the date of valuation, of the excesses determined in accordance with subsection (e)(1)(A) of this Section.

4) For purposes of this subsection (e), the calculations use the maximum valuation interest rate and the 1980 CSO mortality tables with or without ten-year select mortality factors.

5) A reinsurance agreement shall be considered YRT reinsurance for purposes of this subsection (e) if:

A) The reinsurance premium rates (on both the initial current premium scale and the guaranteed maximum premium scale) for any given year are independent of both the premium rates and the plan of the original policy; and

B) Only the mortality risk is reinsured.

f) Optional Exemption for Attained-Age-Based Yearly Renewable Term Life Insurance Policies.

At the option of the company, the following approach for reserves for

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attained-age-based YRT life insurance policies may be used.

1) Calculate the valuation net premium for each future policy year as the tabular cost of insurance for that future year.

2) Basic reserves shall never be less than the tabular cost of insurance for the appropriate period, as defined in subsection (c).

3) Deficiency Reserves.

A) For each policy year, calculate the excess, if greater than zero, of the valuation net premium over the respective maximum guaranteed gross premium.

B) Deficiency reserves shall never be less than the sum of the present values, at the date of valuation, of the excesses determined in accordance with subsection (e)(2)(A) above.

4) For purposes of this subsection (f), the calculations use the maximum valuation interest rate and the 1980 CSO valuation tables with or without ten-year select mortality factors.

5) A policy shall be considered an attained-age-based YRT life insurance policy for purposes of this subsection (f) if:

A) The premium rates (on both the initial current premium scale and the guaranteed maximum premium scale) are based upon the attained age of the insured such that the rate for any given policy at a given attained age of the insured is independent of the year the policy was issued; and

B) The premium rates (on both the initial current premium scale and the guaranteed maximum premium scale) are the same as the premium rates for policies covering all insureds of the same sex, risk class, plan of insurance and attained age.

6) For policies that become attained-age-based YRT policies after an initial period of coverage, the approach of this subsection (f) may be used after the initial period if:

A) The initial period is constant for all insureds of the same sex, risk class and plan of insurance, or the initial period runs to a common attained age for all insureds of the same sex, risk class and plan of insurance; and

B) After the initial period of coverage, the policy meets the conditions of subsection (e) above.

7) If this election is made, this approach must be applied in determining reserves for all attained-age-based YRT life insurance policies issued on or after the effective date of this Part.

g) Exemption from Unitary Reserves for Certain n-Year Renewable Term Life Insurance Policies.

Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met:

1) The policy consists of a series of n-year periods, including the first period and all renewal periods, where n is the same for each period, and for each n-year period, the premium rates on both the initial current premium scale and the guaranteed maximum

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- premium scale are level;
- 2) The guaranteed gross premiums in all n-year periods are not less than the corresponding net premiums based upon the 1980 CSO Table with or without the ten-year select mortality factors; and
 - 3) There are no cash surrender values in any policy year.
- h) Exemption from Unitary Reserves for Certain Juvenile Policies.
- Unitary basic reserves and unitary deficiency reserves need not be calculated for a policy if the following conditions are met, based upon the initial current premium scale at issue:
- 1) At issue, the insured is age 24 or younger;
 - 2) Until the insured reaches the end of the juvenile period, which must occur at or before age 25, the gross premiums and death benefits are level, and there are no cash surrender values; and
 - 3) After the end of the juvenile period, gross premiums are level for the remainder of the premium paying period, and death benefits are level for the remainder of the life of the policy.

Section 1409.60 Calculation of Minimum Valuation Standard for Flexible Premium and Fixed Premium Universal Life Insurance Policies That Contain Provisions Resulting in the Ability of a Policyowner to Keep a Policy in Force Over a Secondary Guarantee Period of More Than Five Years

a) General.

- 1) Policies with a secondary guarantee include:
 - A) A policy with a guarantee that the policy will remain in force at the original schedule of benefits over a period exceeding five years, subject only to the payment of specified premiums;
 - B) A policy in which the minimum premium at any future duration beyond the end of the fifth policy year is less than the corresponding one year valuation premium, calculated using the maximum valuation interest rate and the 1980 CSO valuation tables with or without ten-year select mortality factors; or
 - C) A policy with any combination of (A) and (B) above.
- 2) A secondary guarantee period is the longest period for which the policy is guaranteed to remain in force subject only to a secondary guarantee. Secondary guarantees that are unilaterally extended by the insurer after issue shall be considered to have been made at issue. Reserves described in subsections (b) and (c) below must be recalculated from issue to reflect the extensions.
- 3) Specified premiums mean the premiums specified in the policy, the payment of which guarantees that the policy will remain in force at the original schedule of benefits, but which otherwise would be insufficient to keep the policy in force in the absence of the guarantee if maximum mortality and expense charges and minimum interest credits were made and any applicable surrender charges

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were assessed.

- 4) For purposes of this Section, the minimum premium for any policy year is the premium that, when paid into a policy with a zero account value at the beginning of the policy year, produces a zero account value at the end of the policy year. The minimum premium calculation must use the policy cost factors (including mortality charges, loads and expense charges) and the interest crediting rate, which are all guaranteed at issue.
 - 5) The one-year valuation premium means the net one-year premium based upon the original schedule of benefits for a given policy year. The one-year valuation premiums for all policy years are calculated at issue. The select mortality factors defined in subsections (a)(1)(B) and (C) of Section 1409.40 of this Part and subsections (b)(1)(B) and (C) of Section 1409.40 of this Part may not be used to calculate the one-year valuation premiums.
- b) Basic Reserves for the Secondary Guarantees.
- Basic reserves for the secondary guarantees shall be the segmented reserves for the secondary guarantee period. In calculating the segments and the segmented reserves, the gross premiums shall be set equal to the specified premiums, if any, or otherwise to the minimum premiums, that keep the policy in force and the segments will be determined according to the contract segmentation method as defined in Section 1409.30 of this Part.
- c) Deficiency Reserves for the Secondary Guarantees.
- Deficiency reserves, if any, for the secondary guarantees shall be calculated for the secondary guarantee period in the same manner as described in subsection (b) of Section 1409.50 of this Part with gross premiums set equal to the specified premiums, if any, or otherwise to the minimum premiums that keep the policy in force.
- d) Minimum Reserves.
- The minimum reserves during the secondary guarantee period are the basic reserves for the secondary guarantee plus the deficiency reserve, if any, for the secondary guarantee.

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Section 1409.APPENDIX A Base Select Mortality Factors

This Appendix contains tables of select mortality factors that are the bases upon which the respective percentage of subsections (a)(1)(B) and (C) of Section 1409.40 of this Part and subsections (b)(1)(B) and (C) of Section 1409.40 of this Part are applied.

a) The six tables of base select mortality factors contained herein include:

- 1) male aggregate,
- 2) male nonsmoker,
- 3) male smoker,
- 4) female aggregate,
- 5) female nonsmoker,
- 6) female smoker.

b) These tables apply to both age, last birthday and age nearest birthday mortality tables.

c) For sex-blended mortality tables, compute base select mortality factors in the same proportion as the underlying mortality. For example, for the 1980 CSO-B Table, the calculated base select mortality factors are 80% of the appropriate male table in this Appendix, plus 20% of the appropriate female table in this Appendix.

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Section 1409. ILLUSTRATION A MALE AGGREGATE - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
0	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
10	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
11	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
12	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
13	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
14	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
15	91	91	91	92	92	92	92	92	92	92	92	92	92	92	92	92
16	82	82	82	83	83	83	83	83	83	84	84	84	84	84	84	84
17	73	74	74	75	75	75	75	75	75	76	76	76	76	76	76	76
18	64	65	65	66	66	67	67	67	67	67	67	67	67	67	67	67
19	55	56	56	57	57	58	58	58	58	58	59	59	59	59	59	59
20	46	47	47	48	48	49	49	49	49	50	50	50	50	50	50	50
21	44	45	46	47	47	48	48	48	48	49	49	49	49	49	49	49
22	43	44	44	45	45	46	46	46	46	47	47	47	47	47	47	47
23	41	42	43	44	44	45	45	45	45	46	46	46	46	46	46	46
24	40	41	41	42	42	43	43	43	43	44	44	44	44	44	44	44
25	38	39	40	41	42	42	42	42	42	43	43	43	43	43	43	43
26	37	38	40	41	42	42	42	42	42	43	43	43	43	43	43	43
27	37	38	40	41	42	42	42	42	42	43	43	43	43	43	43	43
28	36	37	40	42	43	43	43	43	43	44	44	44	44	44	44	44
29	36	37	40	42	43	44	44	44	44	45	45	45	45	45	45	45
30	35	36	40	42	43	44	44	44	44	45	45	45	45	45	45	45
31	34	35	40	42	44	45	45	45	45	46	46	46	46	46	46	46
32	33	34	40	43	44	45	45	45	45	46	46	46	46	46	46	46
33	31	35	41	43	45	46	46	46	46	47	47	47	47	47	47	47
34	30	34	41	44	45	46	46	46	46	47	47	47	47	47	47	47
35	28	34	41	44	46	47	47	47	47	48	48	48	48	48	48	48
36	28	33	41	44	46	47	47	47	47	48	48	48	48	48	48	48
37	28	33	41	44	47	48	48	48	48	49	49	49	49	49	49	49
38	27	32	41	45	47	48	48	48	48	50	50	50	50	50	50	50
39	27	32	41	45	48	49	49	49	49	51	51	51	51	51	51	51
40	26	31	41	45	48	49	49	49	49	51	51	51	51	51	51	51
41	26	32	41	45	48	49	49	49	49	51	51	51	51	51	51	51
42	26	33	41	45	48	49	49	49	49	50	50	50	50	50	50	50
43	26	33	42	46	47	48	48	48	48	50	50	50	50	50	50	50
44	26	34	42	46	47	48	48	48	48	49	49	49	49	49	49	49

*Factors are a percent of the 1980 CSO Male Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Male Mortality table and 100% of the 83-86 SOA intercompany experience.

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MALE AGGREGATE - BASE VALUATION SELECTION FACTORS*

ISSUE AGE		DURATION															
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+		
45	26	35	42	46	47	48	49	49	50	53	55	59	62	64	100		
46	26	34	41	43	45	46	47	48	50	53	56	59	62	63	100		
47	26	33	40	43	45	46	47	48	50	54	57	59	62	63	100		
48	25	33	38	42	44	46	47	48	51	55	57	60	61	62	100		
49	24	32	37	40	43	45	46	47	48	51	55	58	60	61	100		
50	24	31	36	39	42	44	45	47	48	51	55	59	60	61	100		
51	23	30	35	38	41	44	45	47	48	51	55	59	60	61	100		
52	23	29	34	38	41	43	45	47	48	51	55	59	60	61	100		
53	22	29	33	37	40	43	44	46	48	51	56	59	61	62	100		
54	22	28	32	37	40	42	44	46	48	51	56	59	61	62	100		
55	21	27	31	36	39	42	44	46	48	51	56	59	61	62	100		
56	21	27	31	36	39	41	43	45	47	50	55	58	60	61	100		
57	20	26	32	36	39	41	43	45	46	49	54	57	59	60	100		
58	20	26	32	36	40	42	44	46	48	53	55	57	58	61	100		
59	19	25	33	36	40	42	44	45	48	52	54	56	57	60	100		
60	19	25	33	36	40	39	41	43	44	47	51	53	55	56	100		
61	19	25	33	36	40	40	41	43	44	47	50	52	54	56	100		
62	19	25	33	36	40	40	42	43	44	46	49	51	53	55	100		
63	18	25	32	37	41	41	42	44	45	46	49	49	52	55	100		
64	18	25	32	37	41	41	43	44	45	45	48	48	51	54	100		
65	18	25	32	37	41	42	43	44	45	45	47	50	54	57	100		
66	18	25	32	37	41	42	43	44	45	46	47	48	51	55	100		
67	18	25	32	37	41	42	43	45	46	46	48	49	51	56	100		
68	19	26	33	38	42	42	44	45	46	47	48	49	52	56	100		
69	19	26	33	38	42	42	44	46	47	47	49	50	52	57	100		
70	19	26	33	38	42	42	44	46	47	48	49	51	53	58	100		
71	24	31	37	42	46	46	48	50	51	51	52	54	56	61	100		
72	30	36	42	46	50	50	51	53	54	55	56	58	59	64	100		
73	35	41	46	50	54	54	55	57	58	59	61	62	66	66	100		
74	41	46	51	55	57	57	59	60	61	62	63	64	66	69	100		
75	46	51	55	59	61	61	63	64	65	65	67	69	72	72	100		
76	51	56	60	63	65	65	66	68	69	69	71	72	75	75	100		
77	57	61	64	67	69	69	70	71	72	72	73	74	75	78	100		
78	62	65	69	71	73	73	74	75	76	76	77	78	80	80	100		
79	68	70	73	75	77	77	78	78	79	80	80	81	83	83	100		
80	73	75	78	79	81	81	82	82	83	83	84	84	86	86	100		
81	78	80	82	83	85	85	86	86	86	86	87	87	89	89	100		
82	84	85	87	88	88	88	89	89	89	90	90	90	91	92	100		
83	89	90	91	92	92	92	93	93	93	93	93	93	94	94	100		
84	95	95	96	96	96	96	96	96	96	97	97	97	97	97	100		
85	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
86	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
87	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
88	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
89	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		

*Factors are a percent of the 1980 CSO Male Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Male Mortality Table and 100% of the 83-86 SOA intercompany experience.

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MALE AGGREGATE - BASE VALUATION SELECTION FACTORS*

ISSUE AGE		DURATION															
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+		
90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
91	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
92	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
93	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
94	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
96	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
97	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
98	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		
99	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100		

*Factors are a percent of the 1980 CSO Male Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Male Mortality Table and 100% of the 83-86 SOA intercompany experience.

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Section 1409. ILLUSTRATION B MALE NONSMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE		DURATION															
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
0	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
10	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
11	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
12	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
13	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
14	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
15	91	91	91	91	92	92	92	92	92	92	92	92	92	92	92	92	100
16	81	82	82	82	83	83	83	83	84	84	84	84	84	84	84	85	100
17	72	73	73	74	75	75	75	76	76	76	76	76	76	76	76	77	100
18	62	63	64	65	66	67	67	67	67	67	67	67	67	68	68	69	100
19	53	54	55	56	57	58	58	58	58	58	59	59	59	60	60	62	100
20	43	45	46	48	49	50	50	50	49	50	51	51	51	52	52	54	100
21	42	44	45	47	48	48	49	49	48	49	50	50	50	51	51	53	100
22	41	43	44	45	46	47	47	47	47	48	49	49	49	50	51	53	100
23	40	41	42	44	45	45	46	45	46	47	48	49	49	49	50	52	100
24	39	40	41	42	44	44	44	44	44	45	47	48	48	48	50	52	100
25	38	39	40	41	42	42	43	43	43	44	46	47	47	47	49	51	100
26	37	39	40	41	42	43	43	44	44	44	46	47	47	48	50	52	100
27	36	38	40	41	42	43	43	44	44	44	45	46	47	48	50	52	100
28	35	37	39	40	41	42	43	44	44	44	45	46	47	48	49	51	100
29	34	36	38	40	41	42	43	44	44	44	45	46	47	48	49	51	100
30	35	37	41	43	44	45	46	46	46	46	47	48	49	51	53	54	100
31	34	36	41	43	44	45	46	47	47	48	49	50	52	54	55	56	100
32	33	36	41	44	45	46	47	47	47	48	49	50	51	53	55	56	100
33	32	35	41	44	45	46	47	48	49	50	51	53	55	57	58	59	100
34	31	35	41	45	46	47	48	48	48	50	51	52	54	56	58	59	100
35	30	34	41	45	46	47	48	49	51	52	53	55	57	59	60	60	100
36	29	34	41	45	46	47	48	49	51	52	53	55	57	59	60	60	100
37	28	33	41	45	46	47	48	49	51	52	53	55	57	59	60	60	100
38	27	32	41	45	47	48	49	50	51	52	54	56	58	60	60	60	100
39	27	32	41	45	47	48	49	50	51	53	54	56	58	60	60	60	100
40	26	32	41	45	47	48	49	50	51	53	54	56	58	60	60	60	100
41	26	32	41	45	47	48	49	49	50	52	53	55	57	59	60	60	100
42	26	33	41	45	47	48	49	49	49	51	52	54	56	58	59	60	100
43	25	33	41	45	47	48	48	48	48	49	51	53	55	57	58	60	100

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

MALE NONSMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
91	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
92	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
93	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
94	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
96	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
97	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
98	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
99	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

*Factors are a percent of the 1980 CSO Male Nonsmoker Mortality (without 10 year select) rate of mortality for the attained age.
Factors are based on the 1980 CSO Male Nonsmoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

Section 1409. ILLUSTRATION C MALE SMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
0	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
10	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
11	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
12	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
13	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
14	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
15	94	95	95	95	95	96	95	95	95	95	95	95	95	95	95	100
16	88	89	89	90	90	91	91	91	91	91	91	91	91	91	91	100
17	83	84	84	85	85	86	86	86	86	86	86	86	86	86	86	100
18	77	78	78	79	79	80	80	80	80	80	80	80	80	80	80	100
19	71	73	73	75	75	76	76	77	77	77	77	76	76	76	76	100
20	65	67	68	70	71	73	73	72	72	72	71	71	71	71	71	100
21	63	65	66	68	69	70	70	69	70	70	69	69	69	69	69	100
22	61	63	64	66	66	68	68	67	67	68	68	67	67	67	67	100
23	60	61	62	64	64	65	65	64	65	65	65	65	65	65	65	100
24	58	59	60	62	61	63	63	62	62	63	63	63	63	64	65	100
25	56	57	58	60	59	60	60	59	60	61	61	61	61	62	63	100
26	55	56	56	58	58	59	59	58	59	60	60	60	60	61	62	100
27	53	55	55	57	57	58	58	57	58	59	59	59	59	60	61	100
28	52	53	53	55	55	56	56	55	56	57	57	57	57	58	59	100
29	50	52	52	54	54	55	55	54	55	56	56	56	56	57	58	100
30	49	51	51	53	53	54	54	53	54	55	55	55	55	56	57	100
31	47	50	50	52	52	53	53	52	53	54	54	54	54	55	56	100
32	45	48	48	50	50	51	51	50	51	52	52	52	52	53	54	100
33	43	47	47	49	49	50	50	49	50	51	51	51	51	52	53	100
34	41	45	45	47	47	48	48	47	48	49	49	49	49	50	51	100
35	39	44	44	46	46	47	47	46	47	48	48	48	48	49	50	100
36	38	43	43	45	45	46	46	45	46	47	47	47	47	48	49	100
37	36	42	42	44	44	45	45	44	45	46	46	46	46	47	48	100
38	35	41	41	43	43	44	44	43	44	45	45	45	45	46	47	100
39	33	39	39	41	41	42	42	41	42	43	43	43	43	44	45	100
40	32	38	38	40	40	41	41	40	41	42	42	42	42	43	44	100
41	31	38	38	40	40	41	41	40	41	42	42	42	42	43	44	100
42	31	38	38	40	40	41	41	40	41	42	42	42	42	43	44	100
43	30	39	39	41	41	42	42	41	42	43	43	43	43	44	45	100
44	30	39	39	41	41	42	42	41	42	43	43	43	43	44	45	100

*Factors are a percent of the 1980 CSO Male Smoker Mortality (without 10 year select) rate of mortality for the attained age.
Factors are based on the 1980 CSO Male Smoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

MALE SMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
45	29	39	47	52	54	55	55	55	55	56	58	61	65	68	71	100
46	29	38	46	50	52	54	54	54	55	56	59	62	65	68	70	100
47	28	37	44	49	51	52	53	53	54	56	59	63	66	68	70	100
48	28	37	43	47	49	51	52	53	54	56	60	63	66	68	69	100
49	27	36	41	46	48	49	51	52	53	56	60	64	67	68	69	100
50	27	35	40	44	46	48	50	51	53	56	61	65	67	68	68	100
51	26	34	39	43	46	48	50	51	53	56	61	65	67	68	68	100
52	26	33	38	42	45	47	50	51	53	56	61	65	67	68	68	100
53	25	31	37	41	45	47	49	51	54	58	62	66	68	69	70	100
54	25	30	36	40	44	46	49	51	54	58	62	66	68	69	70	100
55	24	29	35	39	44	46	49	51	54	58	62	66	69	71	74	100
56	23	29	35	39	44	46	48	50	53	56	61	65	68	70	74	100
57	23	29	35	39	44	45	48	50	53	55	61	64	67	69	73	100
58	22	28	36	40	45	47	49	52	55	60	64	67	69	73	100	100
59	22	28	36	40	45	47	49	52	55	60	64	67	69	73	100	100
60	21	28	36	40	45	47	49	52	55	60	64	67	69	73	100	100
61	21	28	36	40	45	47	49	52	55	60	64	67	69	73	100	100
62	21	28	36	40	45	47	49	52	55	60	64	67	69	73	100	100
63	20	28	37	42	46	49	50	53	56	60	63	66	69	70	100	100
64	20	28	37	42	46	49	50	53	56	60	63	66	69	70	100	100
65	20	28	37	43	47	48	51	52	54	55	58	58	61	65	67	100
66	20	29	37	44	48	49	52	53	54	55	58	58	61	65	67	100
67	21	30	37	44	49	50	52	53	55	58	58	61	65	67	100	100
68	21	30	38	45	49	50	53	54	56	57	58	61	65	66	100	100
69	22	30	38	45	50	51	53	54	56	57	58	61	65	66	100	100
70	22	31	38	46	51	52	54	55	56	57	58	61	65	66	100	100
71	27	36	42	50	54	55	57	58	59	60	61	64	67	68	100	100
72	32	40	46	53	58	58	60	61	62	63	64	66	70	71	100	100
73	38	45	50	57	61	62	63	64	65	66	66	69	72	73	100	100
74	43	49	55	60	64	65	66	67	68	68	69	71	74	75	100	100
75	48	54	59	64	67	68	69	70	71	71	72	74	77	77	100	100
76	53	59	65	71	74	75	76	77	78	78	79	80	82	84	100	100
77	58	65	71	77	80	81	82	83	84	84	85	86	87	88	100	100
78	64	71	77	83	86	87	88	89	90	91	91	92	93	94	100	100
79	69	77	83	89	92	93	94	94	94	94	94	94	94	94	100	100
80	74	82	88	94	97	97	97	97	97	97	97	97	97	97	100	100
81	79	86	92	98	100	100	100	100	100	100	100	100	100	100	100	100
82	84	91	97	100	100	100	100	100	100	100	100	100	100	100	100	100
83	90	91	92	93	93	93	93	93	93	93	93	93	93	93	100	100
84	95	95	96	96	97	97	97	97	97	97	97	97	97	97	100	100
85	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
86	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
87	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
88	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
89	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

*Factors are a percent of the 1980 CSO Male Smoker Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Male Smoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

MALE SMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
91	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
92	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
93	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
94	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
96	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
97	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
98	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
99	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

*Factors are a percent of the 1980 CSO Male Smoker Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Male Smoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

Section	1409. ILLUSTRATION	D	FEMALE	AGGREGATE	- BASE	VALUATION	SELECTION
FACTORS*							

ISSUE AGE			DURATION												
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
0	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
10	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
11	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
12	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
13	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
14	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
15	89	89	89	89	89	89	89	89	90	90	90	90	91	91	100
16	77	78	78	78	78	78	78	79	79	80	80	81	81	82	100
17	66	67	67	67	67	67	68	68	69	70	71	71	72	73	100
18	55	55	55	56	56	57	57	57	58	60	61	61	63	63	100
19	43	44	45	45	45	46	46	47	48	50	51	52	53	54	100
20	32	33	34	34	34	35	35	36	37	40	41	42	44	45	100
21	31	32	33	34	34	35	36	37	38	43	44	45	47	48	100
22	28	31	32	33	34	35	36	37	38	39	44	46	47	49	100
23	26	30	31	32	34	36	37	38	39	44	46	47	49	50	100
24	26	29	31	32	34	36	37	39	40	46	47	48	50	51	100
25	25	28	30	32	34	36	38	40	41	47	49	50	52	53	100
26	25	28	30	33	35	37	39	41	43	48	50	51	53	54	100
27	25	28	31	34	36	38	40	43	45	46	51	53	54	56	100
28	25	27	31	35	39	40	42	44	46	47	53	54	56	57	100
29	25	27	31	36	40	41	43	46	48	54	55	57	58	59	100
30	25	27	31	41	42	44	47	49	50	56	56	57	58	59	100
31	25	28	32	37	41	43	46	48	50	51	56	56	58	59	100
32	26	28	32	38	42	45	48	50	51	52	56	57	58	59	100
33	26	29	33	42	46	49	51	52	53	57	57	59	60	60	100
34	26	29	33	39	43	47	50	52	53	54	58	58	59	60	100
35	26	29	33	39	43	48	50	52	53	54	58	58	59	60	100
36	26	29	33	39	43	48	50	52	53	54	58	58	59	60	100
37	26	30	34	40	44	48	50	52	53	54	57	57	58	60	100
38	25	30	34	40	44	48	50	52	53	54	55	57	57	58	100
39	25	30	34	40	44	48	51	53	54	55	56	57	58	60	100
40	25	31	35	41	45	49	51	53	54	55	56	57	60	61	100
41	25	31	35	41	45	50	51	53	54	55	56	56	57	60	100
42	25	31	35	40	48	50	52	53	54	55	56	56	57	61	100
43	25	31	35	40	48	50	52	53	54	55	56	56	58	62	100
44	25	31	35	40	48	50	52	53	54	55	56	56	58	62	100
45	24	30	35	40	43	47	49	52	53	54	56	57	58	62	100
46	24	30	35	40	43	47	49	52	53	54	56	57	58	63	100
47	24	30	35	39	43	46	48	51	52	54	56	57	59	63	100

*Factors are a percent of the 1980 CSO Female Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

FEMALE AGGREGATE – BASE VALUATION SELECTION FACTORS:

ISSUE AGE		DURATION														
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
45	24	30	35	39	42	45	48	51	52	54	56	57	59	64	65	100
46	23	29	34	38	41	44	48	51	52	54	56	58	59	64	65	100
47	22	28	33	37	40	44	47	51	52	55	57	58	59	64	64	100
48	22	28	33	36	40	43	47	51	53	55	57	59	60	63	63	100
49	21	27	32	35	39	43	46	51	53	56	58	59	60	63	63	100
50	20	26	31	34	38	42	46	51	53	56	58	60	63	62	100	100
51	20	26	31	34	38	42	46	51	53	55	57	58	59	62	61	100
52	19	25	30	34	38	43	47	51	52	54	55	57	57	60	100	100
53	19	25	30	34	39	43	47	51	52	53	54	55	56	59	59	100
54	18	24	29	34	39	44	48	51	52	53	54	55	56	59	58	100
55	18	24	29	34	39	44	48	51	51	51	51	52	53	56	57	100
56	18	24	29	34	38	43	47	49	50	50	51	52	53	56	100	100
57	18	24	29	34	38	42	45	47	48	49	50	51	52	55	100	100
58	18	25	30	34	37	41	44	46	47	46	46	49	50	51	54	100
59	18	25	30	34	37	41	44	46	47	46	46	49	50	51	54	100
60	18	25	30	34	36	39	41	42	44	45	48	49	50	51	53	100
61	18	24	29	33	35	38	40	41	43	44	48	49	50	52	52	100
62	17	23	28	32	34	37	39	40	42	43	47	48	49	51	51	100
63	17	23	27	31	34	36	38	40	41	42	46	46	47	50	50	100
64	16	22	26	30	33	35	37	39	40	41	45	45	46	49	48	100
65	16	21	25	29	32	34	36	38	39	40	44	44	45	48	48	100
66	16	21	25	29	31	33	35	37	39	40	44	44	45	48	47	100
67	16	21	25	28	31	33	35	37	38	40	44	44	45	47	47	100
68	16	21	24	28	30	32	34	36	37	38	44	44	45	47	47	100
69	16	21	24	27	30	32	34	36	37	40	44	45	45	47	46	100
70	16	21	24	27	29	31	33	35	37	40	44	45	45	47	46	100
71	22	26	29	32	34	36	37	39	41	44	48	49	49	51	50	100
72	27	32	34	37	38	40	42	44	45	48	51	52	52	54	53	100
73	33	37	39	42	43	45	46	48	50	52	55	56	56	58	57	100
74	38	42	44	46	48	49	51	52	54	56	59	60	60	61	60	100
75	44	47	49	51	53	54	55	57	58	60	63	63	63	65	64	100
76	50	53	54	56	57	59	60	61	62	64	66	67	67	68	68	100
77	55	58	59	61	62	63	64	65	66	67	71	71	71	72	71	100
78	61	63	65	66	67	68	69	70	71	72	74	74	74	75	75	100
79	66	68	70	71	72	72	73	74	75	76	78	78	78	79	78	100
80	72	74	75	76	76	77	78	78	79	80	81	82	82	82	82	100
81	78	79	80	81	81	82	82	83	83	84	85	85	85	86	86	100
82	83	84	85	85	86	86	87	87	88	89	89	89	89	89	89	100
83	89	89	90	90	91	91	91	91	92	92	93	93	93	93	93	100
84	94	95	95	95	95	95	96	96	96	96	96	96	96	96	96	100
85	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
86	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
87	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
88	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
89	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
91	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
92	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
93	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
94	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
96	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
97	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
98	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
99	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

*Factors are a percent of the 1980 CSO Female Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

FEMALE AGGREGATE - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
91	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
92	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
93	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
94	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
96	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
97	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
98	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
99	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

*Factors are a percent of the 1980 CSO Female Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Mortality Table and 100% of the 65-86 SOA intercompany experience

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

Section 1409. ILLUSTRATION E FEMALE NONSMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
0	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
10	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
11	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
12	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
13	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
14	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
15	88	88	88	88	88	89	89	89	89	89	89	90	90	90	90	100
16	76	76	76	77	77	77	77	78	78	79	79	79	80	80	81	100
17	64	65	65	65	66	66	66	67	67	67	67	68	69	70	71	100
18	52	53	53	53	54	54	54	55	55	57	58	59	60	61	62	100
19	40	41	42	42	43	43	43	44	44	47	48	48	49	50	51	100
20	28	29	30	30	31	31	31	32	33	33	36	37	38	40	42	100
21	27	28	29	30	30	31	31	32	33	35	35	39	40	41	43	100
22	26	27	29	30	30	31	32	33	35	36	40	41	42	44	46	100
23	25	27	28	29	30	31	32	33	35	36	40	41	42	44	46	100
24	24	26	28	29	30	31	33	34	36	37	42	43	44	45	46	100
25	23	25	27	29	30	31	33	35	37	38	43	44	45	46	47	100
26	23	25	27	30	31	32	34	36	38	39	44	45	46	47	48	100
27	23	25	28	31	33	34	35	37	39	41	45	46	47	48	49	100
28	22	25	28	31	34	35	37	39	41	42	45	46	47	48	49	100
29	22	25	29	32	36	37	38	40	42	43	47	47	48	49	50	100
30	22	25	29	33	37	38	39	41	43	44	48	48	49	50	51	100
31	22	25	29	33	37	39	40	42	44	45	48	48	49	50	51	100
32	23	25	29	33	37	39	41	43	44	45	48	49	50	51	51	100
33	23	26	30	34	38	40	42	43	45	46	49	49	50	51	51	100
34	24	26	30	34	38	40	43	44	45	46	49	50	51	51	51	100
35	24	26	30	34	38	41	44	45	46	47	49	50	51	51	51	100
36	24	26	30	34	38	41	44	45	46	47	49	50	51	51	51	100
37	23	26	30	34	38	41	44	45	46	47	49	50	51	51	51	100
38	23	27	30	35	39	42	44	45	47	47	48	48	49	50	50	100
39	22	27	30	35	39	42	44	45	47	47	48	48	49	50	50	100
40	22	27	30	35	39	42	44	45	47	47	48	48	49	50	50	100
41	22	27	30	35	38	41	43	44	46	46	47	48	49	50	50	100
42	21	27	30	34	38	41	43	44	45	46	47	48	49	50	51	100
43	21	26	30	34	37	40	42	43	45	45	46	47	48	49	50	100
44	20	26	30	33	37	40	42	43	44	45	46	46	47	48	49	100

*Factors are a percent of the 1980 CSO Female Nonsmoker Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Nonsmoker Mortality Table and 100% of the 65-86 SOA intercompany experience

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

FEMALE NONSMOKER — BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
45	20	26	30	33	36	39	41	42	43	44	45	46	47	51	52
46	19	25	29	32	35	37	39	41	42	43	44	45	46	50	51
47	18	24	28	31	34	36	38	40	41	42	43	44	45	49	50
48	18	24	28	30	33	36	39	41	42	44	45	46	47	51	52
49	18	23	27	29	32	35	38	40	42	44	45	46	47	50	51
50	17	22	26	28	31	34	37	40	42	44	45	46	47	50	51
51	17	21	25	28	31	34	37	40	41	43	44	45	46	49	50
52	16	21	25	28	31	34	37	39	40	42	43	44	45	48	49
53	16	20	24	27	31	34	36	39	40	41	42	43	44	47	48
54	15	20	24	27	31	34	36	38	39	40	41	42	43	46	47
55	15	19	23	27	31	34	36	38	38	39	40	41	42	45	46
56	15	19	23	27	30	33	35	37	37	38	38	39	40	43	44
57	15	19	23	26	29	32	34	35	36	37	37	38	39	42	43
58	14	19	22	26	29	30	32	34	35	36	37	37	38	41	42
59	14	19	22	25	28	29	31	32	33	34	35	36	37	40	41
60	14	19	22	25	27	28	30	31	32	33	34	35	36	39	40
61	14	18	21	24	26	27	29	30	31	32	33	34	35	38	39
62	13	18	21	23	25	26	28	29	30	31	32	33	34	37	38
63	13	17	20	23	25	26	28	28	29	30	31	32	33	36	37
64	12	17	20	22	24	25	27	28	29	30	31	32	33	36	37
65	12	16	19	21	23	24	26	27	28	29	30	31	32	35	36
66	12	16	19	21	22	23	25	26	27	28	29	30	31	34	35
67	12	16	18	20	22	23	25	26	27	28	29	30	31	34	35
68	11	15	18	20	21	22	24	25	26	27	28	29	30	33	34
69	11	15	17	19	21	22	24	25	26	27	28	29	30	33	34
70	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
71	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
72	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
73	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
74	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
75	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
76	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
77	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
78	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
79	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
80	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
81	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
82	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
83	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
84	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
85	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
86	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
87	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
88	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33
89	11	15	17	19	20	21	23	24	25	26	27	28	29	32	33

*Factors are a percent of the 1980 CSO Female Nonsmoker Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Nonsmoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

FEMALE NONSMOKER — BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
91	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
92	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
93	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
94	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
96	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
97	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
98	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
99	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

*Factors are a percent of the 1980 CSO Female Nonsmoker Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Nonsmoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

Section 1409. ILLUSTRATION F FEMALE SMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
0	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
1	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
2	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
3	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
4	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
5	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
6	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
7	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
8	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
10	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
11	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
12	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
13	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
14	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
15	92	92	92	92	92	92	92	92	93	93	93	93	94	94	94	100
16	83	84	84	84	84	84	84	84	85	85	85	85	86	86	86	100
17	75	76	76	76	76	76	76	76	76	76	76	76	77	77	77	100
18	67	67	67	67	67	67	67	67	67	67	67	67	68	68	68	100
19	58	58	58	58	58	58	58	58	58	58	58	58	59	59	59	100
20	49	51	53	53	53	53	53	53	55	56	56	56	57	57	57	100
21	47	49	52	52	52	52	52	52	54	56	57	57	58	58	58	100
22	45	47	50	51	52	52	52	52	54	56	57	57	58	58	58	100
23	43	46	49	51	51	51	51	51	53	55	57	58	59	59	59	100
24	41	44	47	50	51	51	51	51	53	55	57	58	59	59	59	100
25	39	42	46	49	50	50	50	50	52	54	56	57	58	58	58	100
26	38	41	45	48	50	50	50	50	52	54	56	57	58	58	58	100
27	36	40	44	47	50	50	50	50	52	54	56	57	58	58	58	100
28	34	38	42	46	50	50	50	50	52	54	56	57	58	58	58	100
29	32	36	40	44	48	50	50	50	52	54	56	57	58	58	58	100
30	30	34	38	42	46	50	50	50	52	54	56	57	58	58	58	100
31	28	32	36	40	44	48	50	50	52	54	56	57	58	58	58	100
32	26	30	34	38	42	46	50	50	52	54	56	57	58	58	58	100
33	24	28	32	36	40	44	48	50	52	54	56	57	58	58	58	100
34	22	26	30	34	38	42	46	50	52	54	56	57	58	58	58	100
35	20	24	28	32	36	40	44	48	50	52	54	56	57	58	58	100
36	18	22	26	30	34	38	42	46	50	52	54	56	57	58	58	100
37	16	20	24	28	32	36	40	44	48	50	52	54	56	57	58	100
38	14	18	22	26	30	34	38	42	46	50	52	54	56	57	58	100
39	12	16	20	24	28	32	36	40	44	48	50	52	54	56	57	100
40	10	14	18	22	26	30	34	38	42	46	50	52	54	56	57	100
41	8	12	16	20	24	28	32	36	40	44	48	50	52	54	56	100
42	6	10	14	18	22	26	30	34	38	42	46	50	52	54	56	100
43	4	8	12	16	20	24	28	32	36	40	44	48	50	52	54	100
44	2	6	10	14	18	22	26	30	34	38	42	46	50	52	54	100

*Factors are a percent of the 1980 CSO Female Smoker Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Smoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

FEMALE SMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION															
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16+
46	29	37	43	48	52	56	59	62	64	66	68	70	72	79	81	100
45	28	36	42	47	51	55	58	62	64	66	69	71	72	78	80	100
44	26	35	41	46	50	54	58	62	64	67	69	71	72	78	79	100
43	27	35	40	44	49	53	57	62	64	67	70	72	73	79	77	100
42	27	35	40	44	49	53	57	62	64	68	70	72	73	77	76	100
41	28	34	39	43	48	52	57	62	64							
40	25	33	38	42	47	51	56	62	64	68	71	73	73	76	75	100
39	24	32	37	42	47	51	56	62	63	67	69	71	71	75	74	100
38	25	34	39	43	47	52	57	62	63	68	69	70	74	74	100	100
37	24	31	36	41	46	52	57	61	62	64	66	68	68	73	73	100
36	23	30	36	41	48	53	58	61	62	63	65	66	72	73	100	100
35	23	30	36	41	48	53	58	61	61	62	63	64	65	71	72	100
34	22	29	35	41	48	53	58	61	61	62	63	64	65	70	71	100
33	22	29	35	41	47	52	56	59	60	61	63	64	65	70	70	100
32	21	28	34	39	45	51	55	58	59	60	63	64	65	69	69	100
31	20	27	33	38	44	49	53	56	57	58	63	64	64	68	68	100
30	20	26	32	37	43	48	52	55	56	57	62	63	64	67	67	100
29	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
28	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
27	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
26	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
25	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
24	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
23	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
22	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
21	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
20	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
19	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
18	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
17	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
16	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
15	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
14	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
13	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
12	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
11	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
10	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
9	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
8	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
7	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
6	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
5	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
4	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
3	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
2	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100
1	20	26	32	37	43	48	52	55	55	57	62	63	64	67	67	100

DEPARTMENT OF INSURANCE

NOTICE OF ADOPTED RULES

FEMALE SMOKER - BASE VALUATION SELECTION FACTORS*

ISSUE AGE	DURATION														
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
90	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
91	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
92	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
93	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
94	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
95	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
96	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
97	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
98	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
99	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100

*Factors are a percent of the 1980 CSO Female Smoker Mortality (without 10 year select) rate of mortality for the attained age. Factors are based on the 1980 CSO Female Smoker Mortality Table and 100% of the 83-86 SOA intercompany experience.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Cock Pheasant, Hungarian Partridge, Bobwhite Quail and Rabbit Hunting
- 2) Code Citation: 17 Ill. Adm. Code 530
- 3) Section Numbers:
 530.70 Adopted Action:
 Amendments
 530.80 Amendments
 530.90 Amendments
 530.100 Amendments
 530.105 Amendments
 530.110 Amendments
 530.115 Amendments
- 4) Statutory Authority: Implementing and authorized by Section 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].
- 5) Effective Date of Rulemaking: August 30, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 30, 1996
- 9) Notice of Proposal Published in Illinois Register: May 31, 1996, 20 Ill. Reg. 7483
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
 In Section 530.70(c), a comma was added following "Fitzgerrall".
 In Section 530.80(a)(1), a comma was added following "Director".
 In Section 530.80(a)(5), following "November 2" the following was added: ", 1996" and a comma was added following "1997".
 In Section 530.80(a)(8), following "November 2" the following was added: ", 1996".
 In Section 530.80(c), language was changed to read as follows: "first come-first served basis".
 In Section 530.90(e), language was changed to read as follows: first come

DEPARTMENT OF NATURAL RESOURCES

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or first call-first served basis".

In Section 530.110(b), a comma was added following "Director".

In Section 530.110(g), language was changed to read as follows: "first come-first served basis".

In Section 530.110(b)(3), a closing parenthesis was added following the subsections on "Hallsville" and "Purdueville".

In Section 530.110(b)(3), Sangchris, "and" was added following "30".

In Section 530.110(b)(3), Saybrook, the semi-colon following "24" was removed.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part was amended to allow for controlled pheasant site permits to be transferred to another person at Site M, Sand Ridge and Wayne Fitzgerrell; provide for date changes to conform to 1996 calendar days; establish controlled pheasant season length and give Director discretion to open sites on Mondays and Tuesdays; modify youth hunt time to avoid other site conflicts; change names of Railsplitter and Pike County Conservation Area.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Natural Resources
524 South Second Street, Room 430
Springfield, IL 62701-1787
217/782-1809

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 530

COCK PHEASANT, HUNGARIAN PARTRIDGE, BOBWHITE QUAIL,
AND RABBIT HUNTING

Section

530.10	Statewide General Regulations
530.20	Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations
530.30	Statewide Hungarian Partridge Regulations (Repealed)
530.40	Statewide Bobwhite Quail Regulations (Repealed)
530.50	Statewide Rabbit Regulations (Repealed)
530.60	Statewide Crow Regulations (Repealed)
530.70	Controlled Pheasant Hunting Sites Permit Requirements
530.80	Controlled Pheasant Hunting Regulations
530.90	Illinois Youth Pheasant Hunting Sites Permit Requirements
530.100	Illinois Youth Pheasant Hunting Regulations
530.105	Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites
530.110	Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites
530.115	Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites
530.120	Regulations for Hunting Crow at Various Department-Owned or -Managed Sites (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

SOURCE: Adopted at 5 Ill. Reg. 8777, effective August 25, 1981; codified at 5 Ill. Reg. 10634; amended at 6 Ill. Reg. 10667, effective August 20, 1982; amended at 7 Ill. Reg. 10755, effective August 24, 1983; amended at 8 Ill. Reg. 21574, effective October 23, 1984; amended at 9 Ill. Reg. 15846, effective October 8, 1985; amended at 10 Ill. Reg. 15579, effective September 16, 1986; emergency amendment at 10 Ill. Reg. 18822, effective October 16, 1986, for a maximum of 150 days; emergency expired March 15, 1987; amended at 11 Ill. Reg. 10546, effective May 21, 1987; amended at 12 Ill. Reg. 12016, effective July 7, 1988; amended at 13 Ill. Reg. 12796, effective July 21, 1989; emergency amendment at 13 Ill. Reg. 12985, effective July 31, 1989, for a maximum of 150 days; emergency expired December 28, 1989; amended at 13 Ill. Reg. 17348, effective October 27, 1989; amended at 14 Ill. Reg. 10775, effective June 20, 1990; emergency amendment at 14 Ill. Reg. 18324, effective October 29, 1990.

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for a maximum of 150 days; emergency expired March 28, 1991; amended at 15 Ill. Reg. 9924, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 16124, effective October 25, 1991, for a maximum of 150 days; emergency expired March 23, 1992; amended at 15 Ill. Reg. 18138, effective December 6, 1991; amended at 16 Ill. Reg. 12470, effective July 28, 1992; amended at 16 Ill. Reg. 18951, effective December 1, 1992; amended at 17 Ill. Reg. 15334, effective September 19, 1993; amended at 18 Ill. Reg. 12628, effective August 9, 1994; amended at 19 Ill. Reg. 12615, effective August 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12397, effective AUG 3 0 1996.

Section 530.70 Controlled Pheasant Hunting Sites Permit Requirements

- a) Applicants must contact the Department of Natural Resources (Department or DNR) to obtain a permit reservation. (However for Wayne Fitzgerald, Silver Springs State Park, Ramsey Lake State Park, Horseshoe Lake State Park (Madison County) and Lee County Conservation Area (Green River), applicants must contact the concessionaire. Should the concessionaire, for any reason, fail to operate the concession, applicants must contact DNR.) Starting dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Reservations will be confirmed.
- b) Permits will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 80 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- c) For all DNR operated sites except Site M and Sand Ridge the permit authorizes the permit holder to bring one hunting partner. (The hunting partner cannot hunt without the permit holder being present to hunt.) At Site M and Sand Ridge the permit is valid for the permit holder only. The Springfield Permit Office cannot transfer or alter reservations to change hunting areas, dates or hunters' names. For all DNR operated sites except Site M, Sand Ridge and Wayne Fitzgerald, permits cannot be transferred on the hunting areas. The fee for transferred permits cannot exceed the fee in the Wildlife Code for daily usage stamps for Public Hunting Grounds for Pheasants. For other information write to:
Illinois Department of Natural Resources
Pheasant
524 South Second St., Room 210
P.O. Box 19457
Springfield, Illinois 62794-9457

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- d) Reservations for pheasant hunting will be issued from the Springfield Permit Office for Chain O'Lakes State Park, Des Plaines Conservation Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area and Moraine View State Park.
- e) At Site M and Sand Ridge reservations for the controlled hunting area will be issued from the site headquarters.

(Source: Amended at 20 Ill. Reg. 12397, effective AUG 3 0 1996)

Section 530.80 Controlled Pheasant Hunting Regulations

- a) The controlled hunting season is November 6 through December 15 ~~17~~, both dates inclusive, with the following exceptions:
 - 1) All areas shall be closed to pheasant permit hunting on every Monday and Tuesday during the controlled hunting season. With authorization from the Director, controlled pheasant hunting may be scheduled on Monday and Tuesday on DNR operated areas.
 - 2) All areas are open to the Illinois Youth Pheasant Hunting Program only on November 10 ~~12~~ (except at Site M Controlled Unit, Sand Ridge, Silver Springs and Ramsey Lake where a Youth Pheasant Hunting Program will not be held).
 - 3) The controlled hunting season on the Des Plaines Conservation Area is November 6 through November 21 ~~16~~, November 27 ~~22~~ through December 22 ~~29~~, 1996 ~~1995~~.
 - 4) The controlled hunting season on the ~~Wayne-Fitzgerald-State-Park (Rend--Bakey~~ Lee County Conservation Area (Green River), Silver Springs State Park, Horseshoe Lake State Park (Madison County) and Ramsey Lake State Park will be publicly announced.
 - 5) The controlled hunting season on the Site M Controlled Unit is November 21, 1996 ~~4~~ through November ~~167--November--23--through November--26--and--December--67--1995--through January 15 14, 1997~~ ~~closed to controlled hunting on November 22-24, December 4-8 and 25 1996~~.
 - 6) The controlled hunting season on the Iroquois County Conservation Area is October 30 through November 21 and November 27 through December 15, 1996 ~~November-1-through-November-12-November-15-and-167--and--November-22-through--December-177-1995~~.
 - 7) The controlled hunting season on Wayne Fitzgerald State Park (Rend Lake) is November 6 through December 22, 1996.
 - 8) The controlled hunting season on Sand Ridge State Forest is November 2, 1996 through January 15, 1997, except closed to controlled hunting on December 25.
- b) Hunting hours are from 9:00 a.m. to 4:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Sand Ridge). Hunters with reservations are required to check in at the check station between 7:00 a.m. and 8:00 a.m. (except at Site M Controlled Unit, Silver Springs, Horseshoe Lake State Park (Madison County), Ramsey

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Lake and Sand Ridge where hunters are required to check in between 8:00 a.m. and 8:30 a.m.). Reservations are void after 8:00 a.m. (except at Site M, Sand Ridge and Wayne Fitzgerald where reservations are void after 12:00 noon).

- c) When daily quotas are not filled, permits shall be issued on a first come-first served first-come--first-served basis until 12:00 Noon.

d) Hunting licenses, daily usage stamps and fees:

- 1) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.

- 2) At Chain O'Lakes State Park, Des Plaines Conservation Area, Eldon Hazlett State Park (Carlyle Lake), Iroquois County Conservation Area, and Moraine View State Park and Wayne Fitzgerald State Park hunters must obtain a daily usage stamp from the Department prior to hunting except on December 1 November-26 hunters under 16 are not required to obtain a stamp.

- 3) At Site M and Sand Ridge hunters must obtain a daily usage stamp from the Department prior to hunting except on November-26--and December 1 and 28 30 hunters under 16 are not required to obtain a stamp.

- 4) At Silver Springs State Park, Ramsey Lake State Park, Horseshoe Lake State Park (Madison County) and Lee County Conservation Area, a Daily Usage Stamp is not required. Fees and method(s) of payment at these sites will be publicly announced.

e) Hunters must wear a back patch issued by the check station.

- f) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area when he checks in. All such game found in a hunter's possession after he has started hunting on the area shall be considered illegally taken if the hunter has not declared it prior to going into the field.

- g) All hunting must be done with shotguns or bow and arrow. Only shot shells with a shot size of No. 5 lead or bismuth or No. 3 steel or smaller may be used except at the Wayne Fitzgerald State Park where only nontoxic shot approved by the U.S. Fish and Wildlife Service may be possessed and only shot shells with a shot size of No. 3 steel or No. 5 bismuth or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.

h) Non-hunters are not allowed in the field.

- i) Hunters under 16 years of age must be accompanied by an adult hunter.

j) Daily limits:

- 1) Two pheasants of either sex at Eldon Hazlett State Park, ~~Chain O'Lakes--State--Park~~ Iroquois County Conservation Area, Wayne Fitzgerald State Park, Des Plaines Conservation Area--~~State--S~~
~~Springs-State-Park~~ and Moraine View State Park.

- 2) Two pheasants of either sex, 8 bobwhite quail and 4 rabbits at

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Sand Ridge Ramsey-Lake-State-Park.

- 3) Two cock pheasants, 8 bobwhite quail and 4 rabbits at Site M.
- 4) Four ~~two~~ cock pheasants at the Lee County Conservation Area (Green River), and Silver Springs State Park.

- 5) Four ~~two~~ pheasants of either sex (except that on the last day of fee hunting, each hunter will be allowed to harvest 4 quail and 2 rabbits in addition to ~~4~~ 2 pheasants) at Horseshoe Lake State Park (Madison County).

- 6) Four pheasants of either sex, 8 bobwhite quail and 4 rabbits at Ramsey Lake State Park.

k) Tagging of birds.

All pheasants must be affixed with a Department tag before they are removed from the area during the controlled pheasant hunting season. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.

- 1) Hunters may not leave the confines of any permit area and return to hunt on the permit area during the same day.

m) Any person who violates any provision of this Part or 17 Ill. Adm.

Code 510.10(c)(1), (4) and (6) or 510.10(d)(7) ~~44~~ or Section 2.33(n), (x) or (z) of the Wildlife Code (520 ILCS 5/2.33(n), (x) or (z)) shall be subject to arrest and/or removal from the premises for the remainder of the controlled pheasant hunting season under applicable statutes including 720 ILCS 5/21-5, Criminal Trespass to State Supported Land. Hunters may request a hearing within ten days of the citation by written request addressed to: Legal Division, Department of Natural Resources, 524 South Second Street, Springfield IL 62701-1787. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Amended at '20 Ill. Reg. 12397, effective AUG 8 0 1996)

Section 530.90 Illinois Youth Pheasant Hunting Sites Permit Requirements

- a) Applicants must contact the Department to obtain a permit reservation (except for Sangchris Lake and Railsplitter State Park). Starting dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Reservations will be confirmed. Up to six reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season. There is no fee for the youth pheasant hunting permit.

- b) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species

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available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.

- c) The Springfield Permit Office cannot transfer or alter reservations to change hunting areas, dates or hunters' names. Permits cannot be transferred on the hunting areas. For other information (except Sangchris Lake and Rallsplitter State Park) write to:

Illinois Department of Natural Resources

Pheasant

524 South 2nd Street, Room 210

P.O. Box 19457

Springfield, Illinois 62794-9457

- d) Reservations for the Illinois Youth Pheasant Hunt will be issued from the Springfield Permit Office for Chain O'Lakes State Park, Des Plaines Conservation Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area, Moraine View State Recreation Park, Wayne Fitzgerald (Rend Lake) State Park, Richland County Controlled Pheasant Hunting Area, Lee County Conservation Area, Mackinaw River State Fish and Wildlife Area and Horseshoe Lake State Park (Madison County).

- e) Permits for the Youth Hunt at Sangchris Lake State Park and Rallsplitter State Park will be issued by a mail-in drawing at the respective site office. Registration procedures and hunter quota will be announced by public news release. Applicants must be between the ages of 10-15 inclusive. Permits available after the drawing will be allocated on a first come or first call-first served first-come-or first-call basis from the site office.

(Source: Amended at 20 Ill. Reg. 12397, effective AUG 30 1996)

Section 530.100 Illinois Youth Pheasant Hunting Regulations

- a) The Illinois Youth Pheasant Hunt will be November 10, 1996 ~~12-1995~~, except at Edward R. Madigan Rallsplitter State Fish and Wildlife Area ~~Park~~ where the hunt will be November 9, 1996 ~~12-1995~~ and at Mackinaw River State Fish & Wildlife Area where the hunt will be the first Saturday of the statewide upland game season.
- b) Hunting hours are from 9:00 a.m. to 4:00 p.m., except at Sangchris Lake hunting hours are from 12 noon to 4:00 p.m. Hunters with reservations or permits are required to check in at the check station between 7:00 a.m. and 8:00 a.m. (between 8:00 a.m. and 8:30 a.m. at Edward R. Madigan State Fish and Wildlife Area and between 11:00 a.m. and 12 noon at Sangchris Lake ~~Sangchris Lake~~ ~~and--Rallsplitter--State Park~~).

- c) All hunters must be between the ages of 10 and 15 inclusive and have a youth hunting permit. Stand-by permits will not be available except at Sangchris Lake and Edward R. Madigan State Fish and Wildlife Area

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Rallsplitter-State-Park.

- d) All hunters are required to deposit their hunting licenses in the check station while hunting. Each permit holder MUST be accompanied by a non-hunting supervisory adult. If the hunter does not have a valid Firearm Owner's Identification Card (FOID), the supervisory adult is required to have a valid FOID Card. Only one supervisory adult in a hunting party is required to have a valid FOID Card if the hunters in the hunting party stay under the immediate control (accompany youth hunter at all times) of the supervisory adult possessing the valid FOID Card.

- e) Supervising adults are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches. Hunters must wear a back patch issued by the check station.

- f) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area prior to hunting on the area. All previously killed game found in a hunter's possession after he has started hunting on the area will be considered illegally taken if the hunter has not declared it prior to going into the field.

- g) All hunting must be done with shotguns. Only shot shells with a shot size of No. 5 lead or bismuth or No. 3 steel or smaller may be used, except at the Wayne Fitzgerald State Park Recreation-Area where only shot shells approved as non-toxic by the U.S. Fish and Wildlife Service with a shot size of No. 3 steel or No. 5 bismuth shot or smaller may be used.

- h) Daily limit.

- 1) Two pheasants of either sex at Eldon Hazlet State Park, ~~Chain O-Lakes--State-Park~~ Iroquois County Conservation Area, Des Plaines Conservation Area, Richland County Controlled Pheasant Hunting Area, Wayne Fitzgerald State Park, Moraine View State Park and Horseshoe Lake State Park (Madison County).

- 2) Two cock pheasants only at the Lee County Conservation Area and Chain O'Lakes State Park.

- 3) Statewide limits: Mackinaw River State Fish & Wildlife Area, Sangchris Lake State Park and Edward R. Madigan State Fish and Wildlife Area Rallsplitter-State-Park.

- i) All pheasants must be affixed with a Department tag before they are removed from the area (except Sangchris Lake, Rallsplitter State Park and Mackinaw River State Fish & Wildlife Area). The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.

(Source: Amended at 20 Ill. Reg. 12397, effective AUG 30 1996)

Section 530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites

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- a) All the regulations in 17 Ill. Adm. Code 510 -- General Hunting and trapping apply in this Section, unless this Section is more restrictive.
- b) All areas are closed to fee upland game hunting Mondays and Tuesdays, Christmas Day and New Year's Day. With authorization from the Director, controlled pheasant hunting may be scheduled on Monday or Tuesday on DNR operated areas.
- c) Hunting hours are 9:00 a.m. to 4:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Kankakee River State Park).
- d) All hunting must be done with shotgun or bow and arrow. Only shot shells with a shot size of No. 5 lead or bismuth or No. 3 steel or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.
- e) All pheasants must be affixed with a Department tag before they are removed from the area. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.
- f) Hunter quota selection, daily usage stamp requirements and exemptions and hunter age requirements:
- 1) A drawing shall be held at the site for hunter quotas.
 - 2) A daily usage stamp is required prior to hunting opening date through the day following the final game bird release.
 - 3) Hunters under 16 are not required to obtain a daily usage stamp at the Richland County Controlled Pheasant Hunting Area--on November--26,--at Johnson Sauk Trail State Park, Kankakee River State Park, Sand-Ridge-State-Forest and the Washington County Conservation Area on December 1 and 28 November-26-and-December 30--and-at-Horseshoe-Lake-State-Park-(Madison-County)-on-December 30.
 - 4) Hunters under 16 years of age must be accompanied by an adult hunter.
 - 5) At the Richland County Controlled Pheasant Hunting Area a daily usage stamp is not required. Fees and method(s) of payment at this site will be publicly announced.
- g) When daily quotas are not filled, hunters are allowed to check in on a first come-first served first-come--first-served basis until 12:00 noon.
- h) The Department shall publicly announce the registration time and quota to be filled.
- i) Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.
- j) A back patch issued at the check station must be worn while hunting.
- k) Non-hunters are not allowed in the field.
- l) Hunters must not leave the site without first checking out.

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- m) Daily Limit:
Pheasant -- 2 (either sex may be harvested)
Bowwhite Quail -- 8
Hungarian Partridge -- 2
Rabbit -- 4
- n) Statewide regulations as provided for in this Part apply at the following Controlled Daily Drawing Pheasant Hunting sites, except as noted above and in parentheses below:
- Johnson-Sauk Trail State Park
- Joliet Army Ammunition Plant -- Will County (a \$5.00 daily usage fee will be charged; no hen pheasants may be harvested; site is closed during site's firearm deer season; pheasants will not be tagged)
- Kankakee River State Park (Hunters must check out within 15 minutes of the close of hunting hours; quail shall not be harvested)
- Richland County Controlled Pheasant Hunting Area (the controlled pheasant hunting season will be publicly announced; ~~hunting season-is-November--8-through--December--17~~ daily limit 4 2 pheasants of either sex only)
- Washington County Conservation Area

- o) Any person who violates any provision of this Part or 17 Ill. Adm. Code 510.10(c)(1), (4) and (6) or 510.10(d)(7) (4) or Section 2.33(n), (x) or (z) of the Wildlife Code [520 ILCS 5/2.33(n), (x) or (z)] shall be subject to arrest and/or removal from the premises for the remainder of the controlled pheasant hunting season under applicable statutes including 720 ILCS 5/21-5, Criminal Trespass to State Supported Land. Hunters may request a hearing within ten days of the citation by written request addressed to: Legal Division, Department of Natural Resources, 524 South Second Street, Springfield IL 62701-1797. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Amended at 20 Ill. Reg. **12397**, effective AUG 30 1996)

Section 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites

- a) General Site Regulations
- 1) All regulations in 17 Ill. Adm. Code 510 -- General Hunting and Trapping -- apply in this Section, unless this Section is more restrictive.

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- 2) Only flu flu arrows may be used by bow and arrow hunters; broadheads are not allowed.
 - 3) On sites which are indicated by (1), hunters must check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
 - 4) On sites which are indicated by (2), only nontoxic shot approved by the U.S. Fish and Wildlife Service of size No. 3 steel or No. 5 bismuth shot or smaller may be used or possessed.
 - 5) Site specific rules or exceptions are noted in parentheses after each site.
- b) Site Specific Regulations
- 1) Statewide regulations apply at the following sites:

Anderson Lake Conservation Area (1)

Argyle Lake State Park (closed during firearm deer season) (1)

Banner Marsh State Fish and Wildlife Area (opens the day after the close of the central zone duck season) (1)

Big Bend State Fish and Wildlife Area (1)

Big River State Forest (closed during firearm deer season) (1)

Cache River State Natural Area (1)

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters (Corps of Engineers Managed Lands)

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Crawford County Conservation Area (1)

Dog Island Wildlife Management Area

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch only) (1)

Ferne Clyffe State Park (1)

Fort de Chartres Historic Site (hunting with muzzleloading shotgun or bow and arrow only) (1)

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Ft. Massac State Park (1)

Giant City State Park (1)

Green River State Wildlife Area (closed until the end of the site's dring controlled pheasant season, except quail and rabbit only can be hunted on Mondays and Tuesdays during the site's controlled pheasant season) (1)

Hamilton County Conservation Area (8:00 a.m. - 4:00 p.m.) (1)

Horseshoe Lake Conservation Area (Alexander County) (Public Hunting Area, except Controlled Hunting Area) (1)

I-24 Wildlife Management Area (1)

Jubilee College State Park (opens second day of statewide season; pheasant and quail close the Sunday after Thanksgiving) (1)

Kaskaskia River State Fish and Wildlife Area (Dora Creek Waterfowl Management Area closed 7 days prior to and during duck season) (1)

Kidd Lake State Natural Area

Kincaid Lake Fish and Wildlife Area (1)

Mackinaw Fish and Wildlife Area (opens second day of statewide season; closed during firearm deer season; pheasant and quail close the Sunday after Thanksgiving) (1)

Marseilles Wildlife (closed during the site's firearm deer season) (1)

Marshall Fish and Wildlife Area (closed during firearm deer season) (1)

Mazonia State Fish and Wildlife Area (upland season does not open until the day after the close of the site's waterfowl season; the site is closed Mondays, Tuesdays, Christmas Day and New Year's Day) (1)

Mermet Lake Fish and Wildlife Area (1)

Mississippi River Pools 16, 17, 18

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Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 21, 22, 24

Oakford Conservation Area

Panther Creek Conservation Area (1)

Peabody River King State Fish and Wildlife Area (West Subunit only) (1)

~~Pike County Conservation Area (fall hunting closes November 30 in Area A; all hunting closes December 15 in Area C)~~ (1)

Pyramid State Park (1)

Ramsey Lake State Park (8:00 a.m. to 4:00 p.m.; rabbits and quail only may be hunted on Mondays and Tuesdays during the fee pheasant season) (1)

Randolph County Conservation Area (1)

Ray Norbut State Fish and Wildlife Area (all hunting closes November 30 in Area A; all hunting closes December 15 in Area C) (1)

Red Hills State Park (8:00 a.m. - 4:00 p.m.) (1)

Rend Lake Projects Lands and Waters

Saline County Conservation Area (1)

Sam Dale Lake Conservation Area (8:00 a.m. to 4:00 p.m.) (1)

Sam Parr State Park (8:00 a.m. to 4:00 p.m.) (1)

Sangamon County Conservation Area

Sanganois State Fish and Wildlife Area

Shawnee National Forest, Oakwood Bottoms (2)

Snake Den Hollow Fish and Wildlife Area (opens the day after the close of the Fulton-Knox County zone goose season) (1)

Stephen A. Forbes State Park (8:00 a.m. to 4:00 p.m.) (1)

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Tapley Woods State Natural Area (closed during firearm and muzzleloading rifle deer seasons) (1)

Trail of Hears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area (Firing Line Management Area only) (1)

Weinberg-King State Park (1)

Wildcat Hollow State Forest

Witkowsky State Wildlife Area (rabbit only; opens after second closed-during firearm deer season) (1)

- 2) Statewide regulations apply at the following sites except that hunters must obtain a free site permit from site office; this permit must be in possession while hunting at the site. The permit must be returned, and harvest reported, by February 15 or the hunter will forfeit hunting privileges at the site for the following year:

Chauncey Marsh (obtain permit at Red Hills State Park headquarters)

Clinton Lake State Recreation Area (4:00 p.m. daily closing)

Fox Ridge State Park (4:00 p.m. daily closing)

Hidden Springs State Forest (no hunting during firearm deer season; 4:00 p.m. daily closing)

Kickapoo State Park (4:00 p.m. daily closing; closed during firearm deer season)

Lake Shelbyville Eagle Creek State Park (4:00 p.m. daily closing)

Lake Shelbyville - Eagle Creek Wildlife Management Area (4:00 p.m. daily closing)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

Middle Fork Fish and Wildlife Area (4:00 p.m. daily closing; closed during firearm deer season)

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Moraine View State Park (rabbit hunting permitted Mondays and Tuesdays during the site controlled hunting program and from Wednesday after the permit pheasant season until the end of the Northern Zone Rabbit Season. Quail and pheasant hunting are permitted Wednesday through Sunday following the permit pheasant season; pheasants of either sex may be taken, but hens must be tagged by site staff. All hunting is 8 a.m. to 4 p.m. only. rabbits--only--Mondays--and--Tuesdays--during--permit--pheasant--season and--Wednesday--after--permit--pheasant--season--to--end--of--northern zone--rabbit--season--8:00--a.m.--to--4:00--p.m.--daily)

Site M (open unit)

Ten Mile Creek State Fish and Wildlife Area

- 3) Hunting is permitted on the following areas only on the dates listed in parentheses; daily hunting permits filled by drawing through DOC Permit Office. Procedures for application and drawings will be publicly announced. Only one permit per person will be issued for each site. Each permit authorizes the holder to bring the number of additional hunting partners listed in parentheses for the day's hunt. The permit must be returned and harvest reported by February 15 or hunters will forfeit hunting privileges at the site for the following year:

Edward R. Madigan State Fish and Wildlife Area (November 11, 18, 25 and December 2, 9, 16, 23; each permit authorizes the holder to bring 3 hunting partners; check in required before hunting)

Hallsville Habitat Area (open only November 2, 3, 8, 11, 17, 20, 23, 30 and December 5, 8, 11, 14, 17, 21, 24; each permit authorizes the holder to bring 3 hunting partners)

Herschel Workman Habitat Area (open only November 2, 3, 8, 11, 14, 17, 20, 23, 27, 30 and December 5, 8, 11, 14, 17, 21, 24, 4, 7, 10, 13, 16, 19, 22, 25 and December 3, 6, 9, 12, 15, 18, 21 and 24; only one permit per person per year--will--be--issued; permits--must--be--in--possession--while--hunting; each permit authorizes the holder to bring 3 hunting partners)

Kaecker Sand Prairie Habitat Area (open only on November 2, 3, 8, 11, 14, 17, 20, 23, 27, 30 and December 5, 8, 11, 14, 17, 21, 24, 4, 7, 10, 13, 16, 19, 22, 25 and December 3, 6, 9, 12, 15, 18, 21 and 24; each permit authorizes the holder to bring 5 hunting partners)

Little Vermilion (open only November 4, 5, 8, 11, 16, 19, 21, 27, 30 and December 4, 11, 14, 17, 21, 24; each permit authorizes the

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holder to bring 3 hunting partners; 8 a.m. to 4 p.m. hunting hours)

Perdueville Habitat Area (open only on November 2, 3, 8, 11, 14, 17, 20, 23, 27, 30 and December 5, 8, 11, 14, 17, 21, 24 on November--4--5--7--9--11--13--15--17--19--21--23--25--30--and--December--3--6--9--12--15--18--21--24; each permit authorizes the holder to bring 3 hunting partners)

Rattlesnake State Park (November--13--20--27--December--4--11--18--January--6--each--permit--authorizes--the--holder--to--bring--3--hunting partners)

Sand Ridge State Forest (Mud Turtle State Natural Area) (November 9, 12, 19, 23, 26, 30 and December 3, 10, 14, 17, 21, 24, 28, 31; each permit authorizes holder to bring 3 hunting partners)

Sangchris Lake State Park (November 16, 20, 23, 27, 30 15--18--22--25--29 and December 4, 7, 11, 14, 16, 21, 24, 28 27--6--9--13--16--20--23--27; each permit authorizes holder to bring 3 hunting partners; hunting hours 12 noon-sunset; check in required before hunting; December dates are for rabbits only)

Saybrook Habitat Area (McLean County) (open only November 2, 3, 8, 11, 14, 17, 20, 23, 27, 30 and December 5, 8, 11, 14, 17, 21, 24 4--7--10--13--16--19--22--25--30--and--December--3--6--9--12--15--18--21--24; only one permit per person per year--will--be--issued; permits--must--be--in--possession--while--hunting; each permit authorizes the holder to bring 3 hunting partners)

Site M (Quail Management Area; November 5, 9, 12, 19, 23, 26, 30 7--11--14--16--19--22--25--30; December 3, 10, 14, 17, 21, 24, 28, 31 5--7--12--16--19--23--26--30; January 4, 7, 11, 14 2--6--9--13; each permit authorizes holder to bring 3 hunting partners)

Steward Habitat Area (open only on November 2, 3, 8, 11, 14, 17, 20, 23, 27, 30 and December 5, 8, 11, 14, 17, 21, 24 4--7--10--13--16--19--22--25--30--and--December--3--6--9--12--15--18--21--24; each permit authorizes the holder to bring 3 hunting partners)

Victoria Habitat Area (open only November 2, 3, 8, 11, 14, 17, 20, 23, 27, 30 and December 5, 8, 11, 14, 17, 21, 24; each permit authorizes the holder to bring 3 hunting partners)

- 4) The following sites will be open for pheasant, quail, rabbit and partridge hunting following the site's controlled pheasant hunting season; pheasants of either sex may be taken; all hen pheasants must be tagged by DOC before leaving sites; hunting hours are 8:00

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a.m. - 4:00 p.m.; hunting dates are noted in parentheses:

Chain O'Lakes State Park (open Wednesday after controlled pheasant hunting season for 5 consecutive days, closed December 25) (1)

Des Plaines Conservation Area (dates are 5 days following the close of the site's permit pheasant season excluding Mondays, Tuesdays and Christmas-hunters-must-check-in-and-check-out) (1)

Eldon Hazlet State Park (controlled pheasant hunting area and for 5 consecutive days only) (1)

Iroquois County Wildlife Management Area (open Wednesday through Sunday following permit pheasant season) (1)

Johnson-Sauk Trail State Park (open Wednesday through Sunday following permit pheasant season)

Kankakee River State Park (no quail hunting)

Washington County Conservation Area (1)

(Source: Amended at 20 Ill. Reg. **12397**, effective AUG 30 1996)

Section 530.115 Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 apply in this Section, except that falconers are required to wear a cap and outer garment of solid and vivid blaze orange only during the upland game season on sites where upland game hunting is in progress.
- b) Statewide falconry regulations (17 Ill. Adm. Code 1590) apply at the following sites (exceptions are in parentheses):

Big Bend State Fish and Wildlife Area

Horseshoe Lake State Park (Madison County) (hunting season opens the first hunting day after the close of the duck hunting season; hunting by falconry methods allowed from day after controlled pheasant season through the close of statewide quail falconry season)

Mississippi River Pools 16, 17 and 18

Railsplitter State Park (hunting by falconry methods permitted from October 1 through March 31 or until 10 hen pheasants are

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harvested; falconers must sign in at the site check station before hunting and sign out immediately after hunting and report their harvest)

Sand Ridge State Forest (statewide regulations except that hunting is permitted on Mondays and Tuesdays only during the Controlled Daily Drawing Pheasant Program season; it is unlawful to hunt by falconry methods in the vicinity of pheasant releases as pheasants are being released; falconry hunters must obtain a free permit from site office before hunting and report harvest by April 15; failure to report harvest by April 15 will result in loss of hunting privileges the following year)

~~Silver-Springs-State-Park-hunting-for-pheasant-rabbit-and-quail permitted-October-1-through-two-days-before-the-opening-of-the site's-pheasant-season-falconers-must-obtain-a-free-permit-from site-office-before-hunting-and-report-harvest-by-December-17 failure-to-report-harvest-will-result-in-loss-of-hunting privileges-the-following-year~~

Snake Den Hollow Fish and Wildlife Area (hunting permitted from the day after the close of the Fulton-Knox County Zone goose season until the close of the statewide falconry season)

- c) Cock and hen pheasant, hungarian partridge, bobwhite quail, and rabbit may be taken at the following sites in accordance with 17 Ill. Adm. Code 1590; falconers must obtain a free permit from site office before hunting and return permit and report harvest by February 15; failure to return or report harvest will result in loss of hunting privileges the following year (additional site regulations are in parentheses):
- Chain O'Lakes State Park (hunting permitted 8:00 a.m. to 4:00 p.m. from the Monday after the non-fee season through January 31 except closed Christmas Day; obtain permit from site office Monday through Friday 8:00 a.m. to 4:00 p.m.)

Eagle Creek State Park (hunting permitted from the end of the statewide firearms season for rabbits through January 31)

Eagle Creek Wildlife Management Area (hunting permitted from the end of the statewide firearms season for rabbits through January 31)

Moraine View State Park (hunting permitted October 1 through two days before the pheasant season opens)

Ten Mile Creek Fish and Wildlife Area (hunting permitted from the end of the firearms rabbit season through January 31)

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(Source: Amended at 20 Ill. Reg. 12397, effective
AUG 30 1996)

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1) Heading of the Part: Duck, Goose and Coot Hunting

2) Code Citation: 17 Ill. Adm. Code 590

3) Section Numbers: Adopted Action:

590.10 Amendments

590.15 Amendments

590.40 Amendments

590.50 Amendments

590.60 Amendments

590.80 Amendments

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

5) Effective Date of Rulemaking: August 30, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 30, 1996

9) Notice of Proposal Published in Illinois Register: June 14, 1996, 20 Ill. Reg. 7736

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

In the Main Source Note, the following were added: "emergency expired March 3, 1984"; "emergency expired March 5, 1986"; "emergency expired February 23, 1987"; and "January 28, 1995" was changed to "February 23, 1995" and "19 Ill. Reg. 754" was changed to "20 Ill. Reg. 754".

In Section 590.15, a new subsection "(f)" was added"

f) Special Hunts

If, by regulation published in the Federal Register, the U.S. Fish and Wildlife Service sets any special dates for youth-only waterfowl hunting, the Department shall, by public announcement, open those Department sites which, under the circumstances prevailing at the time, the Department believes may be opened without unduly disturbing other Department programs.

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In Section 590.40(a)(7), an opening parenthesis was added prior to "sunrise".

In Section 590.40(b)(1), "Section" was added prior to "590.50".

In Section 590.60(b)(3)(A), the parenthesis at the end of the subsection was removed.

In Section 590.60(b)(3)(A), "DOC" was changed to "DNR".

In Section 590.60(b)(17), "590.60" was deleted and "of this Section" was added at the end of the subsection.

In Section 590.60(b)(18)(C), "(b)(18)" was added prior to "(A)".

In Section 590.60(b)(24)(G)(v), "six (6)" was changed to "6".

In Section 590.60(b)(24)(G)(vi), "four (4)" was changed to "4".

In Section 590.60(b)(24)(I)(iii), "Five (5)" was changed to "5".

In Section 590.60(b)(26), language was changed to read "first come-first served basis".

In Section 590.80(a), a comma was added following "590.60".

In Section 590.80(b), Kaskaskia, a closing parenthesis was added at the end of the subsection.

In Section 590.80(f), the spelling of "Mermet" was corrected.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This Part was amended to standardize and clarify hunting regulations on various State sites, move Bond, Fayette and Effingham counties to the Southern Zone for all waterfowl hunting; add information regarding the HIP program; open Sand Ridge State Forest to limited handicapped hunting; and add regulations regarding check station operations and blind use.

16) Information and questions regarding these adopted amendments shall be directed to:

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Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield, IL 62701-1787
217/782-1809

The full text of the adopted amendment begins on the next page:

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expired February 20, 1989; emergency amendment at 12 Ill. Reg. 22244, effective December 7, 1989, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14935, effective September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 17029, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 13293, effective September 3, 1991; emergency amendment at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12494, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective September 27, 1994, for a maximum of 150 days; emergency expired February 23, 1995; amended at 19 Ill. Reg. 13209, effective September 11, 1995; amended at 20 Ill. Reg. 754, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12417, effective

AUG-3-0-1996 12417

Section 590.10 Statewide Regulations

- a) Pursuant to Section 2.18 of the Wildlife Code [520 ILCS 5/2.18], it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal "Migratory Bird Treaty Act" (16 U.S.C. 703-711), the "Migratory Bird Hunting Stamp Act" (16 U.S.C. 1718 et seq.), and annual "Rules and Regulations for Migratory Bird Hunting" (50 CFR 20) (collectively referred to in this Part as Federal regulations) (no incorporation in this Part includes later amendments or editions), or contrary to any State regulations made in the Wildlife Code.
- b) The regulations in Section 2.33 of the Wildlife Code on illegal devices shall apply to this rule, unless federal regulations are more restrictive.
- c) Duck, goose and coot regulations are in accordance with Federal Regulations (50 CFR 20) unless the regulations in this rule are more restrictive.

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 590
DUCK, GOOSE AND COOT HUNTING

Section
590.10 Statewide Regulations
590.15 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites
590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
590.25 Illinois Youth Waterfowl Hunting Permit Requirements
590.26 Illinois Youth Duck Hunting Permit Requirements (Repealed)
590.30 Duck, Goose and Coot, General Hunting Regulations on all Department-Owned and -Managed Sites (Repealed)
590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.60 Various Other Department Sites - Duck, Goose and Coot Hunting
590.70 Ohio River
590.80 Early and Late Goose (all species) Snow-Blue-and-Ross-Goose Hunting Regulations on Department Sites

EXHIBIT A The Non-Toxic Shot zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10], and Migratory Bird Hunting (50 CFR 20, effective September 26, 1990).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; emergency expired March 3, 1984; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; emergency expired March 5, 1986; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; emergency expired February 23, 1987; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency

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d) It shall be unlawful while attempting to take migratory waterfowl or coots to have in possession any shotgun shells not approved as non-toxic by federal regulations.

e) Emergency Closure

The Department of Natural Resources (Department or DNR) will close the Canada goose season giving 48 hours notice when quotas established by federal regulations are reached, when harvest in any area is excessive due to extreme weather conditions or when a serious outbreak of infectious disease occurs, such as avian cholera or duck virus enteritis.

f) Closed Areas

Closed areas, including waterfowl refuges and rest areas, may be designated at certain sites in accordance with 17 Ill. Adm. Code 510. Boundaries of these closed areas will be posted.

g) Commercial Migratory Waterfowl Hunting Area Permits

1) The holder of a permit shall forward information on harvest and hunters to the Department, on forms furnished by the Department, at times required by the Department. The Department shall give the permit holder reasonable written notice of the dates reports are required. Failure to timely supply such reports will make the permit holder subject to revocation of his permit and suspension of the privilege to hold the permit for up to 5 years.

2) On any property where the principal waterfowl harvest is wild geese, it is the permit holder's duty to ensure that not more than 5 persons occupy or attempt to take wild geese from any blind or pit at the same time.

3) The Department may assign the maximum potential Canada goose harvest (number registered pits x 5 hunters x Canada goose bag limit) to the cumulative quota zone harvest for each day a club is late in reporting.

h) Waterfowl Hunting Zones:

1) Northern Zone - That portion of the State north of a line running east from the Iowa border along Illinois Route 92 to U.S. Interstate 280, east along U.S. Interstate 280 to U.S. Interstate 80, then east along U.S. Interstate 80 to the Indiana border.

2) Northern Illinois Quota Zone - DuPage, Kane, Lake, and McHenry counties, and those portions of LaSalle and Will counties north of I-80.

3) Central Zone - That portion of the State south of the northern zone boundary to the Modoc Ferry route on the Mississippi River and east along the Modoc Ferry Road to Modoc Road to St. Leo's Road to Illinois Route 3, then north to Illinois Route 159, then north to Illinois Route 161, then east to Illinois Route 4, then north to U.S. Interstate 70, then east along U.S. Interstate 70 to the Bond County line, north and east along the Bond County line to Fayette County, north and east along the Fayette County line to Effingham County, east and south along the Effingham County line to U.S. Interstate 70, then east along U.S.

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Interstate 70 to the Indiana border--except--that--all--of--Bond--Effingham--and--Payette--counties--will--be--excluded--from--the--Central--Zone--for--goose--hunting.

4) Central Illinois Quota Zone - Calhoun, Cass, Fulton, Jersey, Knox, Mason, Morgan, Peoria, Pike, Tazewell, and Woodford counties, as well as those portions of LaSalle, Grundy, and Will counties south of I-80.

5) Southern Zone - From the southern boundary of the Central Zone south to the remainder of the State--except--that--all--of--Bond--Effingham--and--Payette--counties--will--be--in--the--Southern--Zone--for--goose--hunting.

6) Fulton-Knox County Canada Goose Zone - Knox County and the following townships in Fulton County: Buckheart, Canton, Cass, Deerfield, Fairview, Farmington, Joshua, Orion, Putnam, and that portion of Banner Township bounded on the north by Illinois Route 9 and on the east by U.S. Route 24.

7) Rend Lake Canada Goose Quota Zone - all lands and waters in Franklin and Jefferson Counties.

8) Northeastern Illinois Canada Goose Zone - All lands and waters in the counties of Cook, DuPage, Grundy, Kankakee, Kane, Kendall, Lake, McHenry and Will.

9) Southern Illinois Quota Zone - Alexander, Union, Williamson, and Jackson Counties.

i) No person during the open season shall take or attempt to take wild geese in the Rend Lake Canada Goose Quota Zone and Southern Illinois Quota Zone except between legal opening and the hour of 3:00 p.m. except during the last three days of the Canada goose season and during any goose seasons that occur after the Canada goose season, hunting hours shall close at sunset daily.

j) On any property where the principal waterfowl harvest is wild geese in the Rend Lake Canada Goose Quota Zone and the Southern Illinois Quota Zone, no more than 5 persons shall occupy or attempt to take wild geese from any blind or pit at the same time.

k) The following apply in the Northern and Central Illinois Quota Zones:

1) It is unlawful to hunt Canada geese during seasons starting after September 30 without having in possession a current season's permit to hunt Canada geese, unless exempt from a State waterfowl stamp. Such permits are not transferrable and are not valid unless they contain the hunter's name, signature, date of birth, and the same State waterfowl stamp number that is on the State waterfowl stamp that is signed by the hunter or affixed to his/her license.

2) Immediately upon taking possession of a harvested Canada goose, hunters must punch or slit the Permit to Hunt to indicate the date of kill (one date for each goose harvested)--and--zone--in--which--taken--Persons--who--take--3--Canada--geese--in--the--same--day--must--punch--or--slit--the--permit--on--or--above--the--line--immediately--above--the--date--where--the--other--2--geese--that--were--taken--were

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penched.
3) Hunters must report their kill within 24 hours by calling 1-800-WETLAND (938-5263)-on-a-teech--tene--phone. Hunters must report the number of geese taken, date and zone where taken.

- 1) During any goose seasons that occur after the close of the Canada goose season, Union and Alexander Counties are closed to goose hunting.

m) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take ducks, geese or coots. Instructions for registering are provided with issuance of hunting license.

(Source: Amended at 20 Ill. Reg. 12417, effective AUG 30 1996)

Section 590.15 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites

a) Definitions

- 1) Blind site - A position within 10 feet of numbered stake where blind must be constructed. Sites shall be located and marked by the Department of Natural Resources.
- 2) Blind builder - Person who has been assigned a blind site as a result of the drawing.
- 3) Blind partner - Person(s) chosen by the builder to assist in construction and maintenance of the blind and to share its blind claiming and hunting privileges.
- 4) Drawing - Procedure by which blind sites are assigned.
- 5) Blind registration card - Card issued by the Department and tacked inside each blind listing names and addresses of blind builders.
- 6) Complete blind - A blind with all framework and siding constructed and in readiness for use, including final brushing.
- 7) Hunting party - An individual or group of hunters occupying a single boat, blind, or hunting site.

b) Blind Construction

- 1) Blinds must be at least 4 feet x 8 feet, but no higher than 14 feet from the water surface at normal pool level, to the top of the shooting box, sturdy enough to withstand daily usage, and must be maintained in good condition by blind builders throughout the duck season. Blinds shall be numbered and that number shall be visible from the outside of the blinds. Blinds must be placed within 10 feet of assigned Department marked site.
- 2) Blinds built over water must be of platform construction with the platform constructed above normal water conditions or they may be floating blinds.
- 3) Blinds must be completed, including final brushing, 3 weeks in

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advance of opening date of duck waterfowl season (except at Mississippi River Area Pools 25 and 26 blinds and final brushing must be completed 4 weeks in advance of opening date of duck waterfowl season) after which time the Department of Conservation shall inspect all blinds and blind sites and issue Blind Registration Cards to those which pass inspection. Blind builders shall not gain access to Redwing Slough/Deer Lake until the day following Labor Day. Blind builders must post Blind Registration Card in the blind prior to the first day of duck season. If adverse weather or water conditions make compliance with this rule difficult the site superintendent or the District Wildlife Manager may grant extensions.

- 4) Sites on which blinds have not been built, as well as sites on which blinds of an unsatisfactory quality have been built, shall be reassigned to alternates selected at a drawing or by a first come-first served allocation held on a day publicly announced by the Department. All reassigned blinds must be completed, including final brushing, seven days prior to the opening date of the duck waterfowl season on sites posted as being closed to trespassing 7 days prior to duck waterfowl season. At Mississippi River Area Pools 25 and 26 reassigned blinds must be completed by sunset of the Sunday immediately preceding the opening day of duck waterfowl season. On all other sites reassigned blinds must be completed, including final brushing, by the day before the opening day of the duck waterfowl season.
- 5) Not more than 3 persons shall be registered for assignment of any one blind site. Blind builders shall submit partner names on a blind registration form as designated at the site drawing. After the designated time, no changes shall be accepted. As directed by the information sheet available at each site, the registration form must be filled out and returned within 30 days of the blind drawing date. Failure to do so shall result in forfeiture of blind.
- 6) No person shall be allowed to be a blind builder or partner on more than one State Waterfowl Management Area in Illinois.
- 7) Boat hides are required, except as noted in Sections 590.40 and 590.50, and must have minimum inside dimensions of 18' x 6', and shall be sturdy enough to withstand daily use considering the conditions of the site, and must be maintained in good condition throughout the season, and shall be completed including final brushing by three weeks prior to the opening day of duck waterfowl season, except at Mississippi River Area Pools 25 and 26 boat hides and final brushing must be completed 4 weeks prior to the opening day of duck waterfowl season; failure to meet these standards shall result in forfeiture of blind site.
- 8) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds except as indicated in subsections 590.40(a) and (b) and

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590.50(a) and (b).

c) Use of blinds

- 1) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
- 2) No person shall hunt, or attempt to hunt, except from within a registered blind.
- 3) Persons under 16 years of age shall not hunt, or attempt to hunt, unless accompanied by an adult due to safety factors.
- 4) Blinds shall not be locked.
- 5) Claiming or attempting to claim any blind which is legally occupied, and/or harassing, in any manner, the occupants of a blind which has been legally occupied, is unlawful.
- 6) No person shall fish within 250 yards of an occupied blind within the hunting area.
- 7) All hunting parties shall hunt over a spread of at least 12 decoys. The decoys shall be staked, placed, or floating, be individually visible, be at least 8 inches long, and not be within a boat, blind or container.
- 8) At sites where a manned check station is in operation, hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

d) Public Drawing

- 1) Time and place for all sites holding drawings shall be publicly announced by the Department of Natural Resources.
- 2) A registrant for a drawing must be at least 16 years of age and possess a current or preceding year's Illinois hunting license, a current or preceding year's Illinois Migratory Waterfowl Stamp and a current or expired (within 12 months prior to the drawing) Firearm Owner's Identification Card unless exempted by law. Persons exempted by law from possessing a hunting license or waterfowl stamp must have a valid Firearm Owner's Identification Card. Persons who are under 21 years of age who do not have a Firearm Owner's Identification Card must be accompanied by an adult who has a valid Firearm Owner's Identification Card in his possession at the drawing. Applicants must be present for the registration and drawing to be eligible for allocation of blind sites.

e) Flood Rules

In the event that State managed sites are flooded to the point that public waterfowl blinds cannot be constructed or are no longer usable,

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the Department, by public announcement and/or posting, may permit waterfowl hunting under one of the following rules:

- 1) If the check station for that site is open, all rules apply, except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site.
- 2) If the check station is not operable, all rules apply except that hunting will be allowed from boat, platform or floating blinds which must be located within 10 feet of the marked blind site. Additionally, rules listed in subsections 590.40(b)(1), (2), (3), (4) and (9) shall not be in force. Rules concerning blind claiming as listed in subsection 590.50(b) shall apply.
- 3) If blind sites have not been marked and no check station is operable, the area will be open to hunting from platform, floating or boat blinds or by walk-in hunting, anywhere on the area except refuges and closed waterfowl rest areas. Preplacement of unattended decoys and/or unoccupied blinds or boat hides do not constitute lawful possession of a hunting site. All hunting parties must remain 200 yards apart and follow normal closing hours for the site.
- 4) In all above flood circumstances, regulations requiring the construction of a separate boat hide and regulations regarding the minimum standards for blind construction shall be suspended for that season.

f) Special Hunts

If, by regulation published in the Federal Register, the U.S. Fish and Wildlife Service sets any special dates for youth-only waterfowl hunting, the Department shall, by public announcement, open those Department sites which, under the circumstances prevailing at the time, the Department believes may be opened without unduly disturbing other Department programs.

(Source: Amended at 20 Ill. Reg. 12417, effective AUG 30 1996)

Section 590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting

- a) The sites listed in this Section conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted in parentheses and in the remainder of this Section. Daily hunting hours close at 1:00 p.m. unless otherwise indicated in parentheses below.
 - 1) Anderson Lake Conservation Area - All Management Units (previous years blind builders shall have until February 1 to salvage blind materials)
 - 2) Batchtown (3:30 p.m. closing; Central Standard Time (CST)) (3 year blind allocation period)

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- 4) All hunters must be checked out within one hour of the close of the legal hunting hours. At this time waterfowl and coots bagged must be checked and hunting licenses or Firearm Owner's Identification Cards shall be returned.
- 5) It shall be unlawful to trespass upon the designated duck waterfowl hunting area during the 7 days prior to the waterfowl season as posted at the site. At Mississippi River Area Pools Ponds 25 and 26 it shall be unlawful to trespass upon the designated duck waterfowl hunting area between sunset of the Sunday immediately preceding opening day of waterfowl season through the day before waterfowl season as posted at the site.
- 6) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of duck waterfowl season through the close of duck and Canada goose waterfowl season.
- 7) No more than 4 persons shall occupy a blind at one time.
- 8) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
- 9) During duck season, blinds not claimed by the builder or partners by one hour before hunting time shall be assigned by a drawing at this time and during the hours from 8:00 a.m. to 11:00 a.m., except at Batchtown, Calhoun Point, Glades, Godar-Diamond, Horseshoe Lake State Park (Madison County) and Stump Lake (9:00 a.m. - 1:00 p.m.) after which time the area shall be closed to additional hunters.
- 10) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After this date, all materials become the property of the new blind builder or the Department.
- 11) For those sites listed in this subsection that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished in person during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. No waterfowl blind may be removed until after the close of the waterfowl season.

(Source: Amended at 20 Ill. Reg. 12417, effective AUG 30 1996)

Section 590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting

- a) The following sites conform to Statewide Regulations (Section 590.10) and General Department Regulations (Section 590.15), except as noted

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- 3) Calhoun Point (3:30 p.m. CST closing) (3 year blind allocation period)
 - 4) Glades (3:30 p.m. CST closing) (3 year blind allocation period)
 - 5) Godar-diamond (3:30 p.m. CST closing) (3 year blind allocation period)
 - 6) Horseshoe Lake - Madison County (3:30 p.m. CST closing; 3 year blind allocation goose-hunting--is--prohibited--after-the-duck season)
 - 7) Lake DePue (sunrise opening)
 - 8) Marshall County Conservation Area - (previous years blind builders shall have until February 1 to salvage blind materials) - Spring Branch Unit
 - 9) Mazonia State Fish and Wildlife Area (previous years blind builders shall have until February 1 to salvage blind materials; goose hunting prohibited before and after duck season; closed Mondays and Tuesdays)
 - 10) Rice Lake Conservation Area (previous years blind builders shall have until February 1 to salvage blind materials)
 - 11) Sanganois Conservation Area (check station and walk-in areas, hunters are not required to hunt from a blind site during goose seasons held prior to or after the duck season)
 - 12) Spring Lake (previous years blind builders shall have until February 1 to salvage blind materials; during the waterfowl season, the maximum horsepower limit for outboard motors on the lake is 25 h.p.; no goose hunting prior to duck season)
 - 13) Stump Lake (3 year blind allocation period; 3:30 p.m. CST closing)
 - 14) Woodford County Fish and Wildlife Area (previous year's blind builders have until February 1 to salvage blind materials)
- b) The following regulations apply to all sites listed in this Section under subsection (a):
- 1) All hunters must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to blinds. Beginning the day after duck season ends, when the check station is not operating, unclaimed blinds shall be allocated on a first come-first served basis, as per Section 590.50(b)(1), (2) and (3). Goose hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
 - 2) Registered blind builders or partners desiring to claim their blinds must report to the check station at least one hour before hunting hour each day and occupy that blind for at least one hour. Hunters wishing to move to another blind during their daily hunt must report back to the check station for reassignment.
 - 3) All hunting must be from registered blinds only and hunters must occupy their blinds within one hour after registering at the check station.

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in the remainder of this Section.

Blanding Wildlife Area (Federal Lands, boat access only; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunters)

Boston Bay (No permanent blinds may be built; temporary blinds only; 200 yards apart)

Chain O'Lakes State Park (For goose seasons prior to duck season, hunting allowed from numbered blind sites only and blinds need not be completed; blind materials must be salvaged 7 days after current year's drawing; except blind numbers 15, 18 and 20 must be removed in their entirety by May 1)

Des Plaines River Conservation Area (Goose hunting permitted during special goose season prior to regular waterfowl season; during special goose season hunting allowed from numbered blind sites only and blinds do not have to be completed; previous years blind builders shall have until February 1 to salvage blind materials)

Fuller Lake (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period)

Helmbold Slough (Daily hunting hours close at 3:30 p.m. CST; 3 year blind allocation period)

Illinois River - Pool 26 (3 year blind allocation period)

Kankakee River State Park (no boat hide required; no goose hunting permitted prior to duck season; previous years blind builders shall have until February 1 to salvage blind materials)

Lake DePue Walk-in Unit (daily drawing; daily hunting hours are sunrise to 1:00 p.m.)

Lake Sinnissippi (Department Owned Land; blind numbers 1, 2, 3, 4, 13, 14, 15, 16, 20, 21, 26, 27, 28, 29, 30, 31, and 32 must be removed in their entirety by May 1)

Marshall County Conservation Area - Sparland Unit (Department Owned Land; previous years blind builders shall have until February 1 to salvage blind materials)

Mississippi River Pool 16 (Federal Lands; no permanent blinds--temporary blinds only above Velie Chute except for Goose

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Pond, Sunfish Slough, and Milan Bottoms (landward area upriver from River Mile 474); 2 year blind allocation period; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting)

Mississippi River Pool 17 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; two year blind allocation period)

Mississippi River Pool 18 (Federal Lands; scull boat hunting for waterfowl is permitted but hunters must not get closer than 200 yards from a permanent duck blind or in areas posted as closed to scull hunting; 2 year blind allocation period)

Mississippi River Pools 21, 22, 24 (Federal Lands; 2 year blind allocation period)

Mississippi River Pools 25, 26 (Federal Lands; 3 year blind allocation period)

Pekin Lake (Department Owned Land)

Piasa Island (3 year blind allocation period)

Red's Landing (3 year blind allocation period; that portion of Red's Landing that is north of the access road will be noted as a walk-in area only; during the regular duck season, no permanent blinds; daily hunting hours will close at 3:30 p.m. CST)

Redwing Slough/Deer Lake (closed on Mondays, Tuesdays, Thursdays and Fridays except that hunting will be allowed on opening day of duck season; no goose hunting except during duck season; previous years blind builders shall have until February 1 to salvage blind materials; daily hunting hours will close at 1:00 p.m.)

Rice Lake Walk-in and **Copperas Creek Management Unit** (Walk-in only, daily drawing; daily hunting hours will close at 1:00 p.m.)

Riprap Landing (3 year blind allocation period)

Starved Rock State Park (Previous years blind builders shall have until February 1 to salvage blind materials; sign in and sign out to report harvest required)

William W. Powers Conservation Area (no goose hunting prior to duck season; boat hides required only at designated sites at the

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drawing; previous years blind builders shall have until February 1 to salvage blind materials).

b) The following regulations apply to all sites listed in this Section under subsection (a).

- 1) Blind builders or partners must occupy their blinds by one-half hour before opening hunting hour each day in order to claim their blind for the day. Blinds not legally occupied may be claimed on a first come-first served basis.
- 2) Attempts to claim blinds by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. The insertion of a boat into the boat hide and/or the spreading of decoys before a blind shall not be considered legal occupation of a blind.
- 3) All hunting must be from registered blinds only unless otherwise noted in parentheses under subsection (a).
- 4) Blind sites shall be allocated for a period of one year unless otherwise noted in parentheses under subsection (a).
- 5) Previous year's blind builders shall have until 7 days after the next allocation period drawing to salvage materials from their blinds, except as listed in parentheses under subsection (a). After that date, blinds become the property of the new blind builders.
- 6) No more than 4 persons shall occupy a blind at one time except on Mississippi River Pools 16, 17, 18, 21, 22 and 24 and Blanding Wildlife Area.

7) For those sites listed in subsection (a) that have 3 year blind allocation periods, re-registration of blind sites during the non-draw years must be accomplished either in person or through the mail during a publicly announced period. Failure to re-register during the prescribed period will result in the loss of blind site. Registrants must present current year's Illinois hunting license and State waterfowl stamp for each blind builder. Blinds not re-registered will be allocated by a drawing. NO waterfowl blind may be removed until after the close of the waterfowl season.

8) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges two weeks prior to the start of waterfowl season through the waterfowl season as posted at the site.

9) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the waterfowl season as posted at the site. At Mississippi River Area pools 25 and 26 it shall be unlawful to trespass upon the designated waterfowl hunting area between sunset of the Sunday immediately preceding the opening date of waterfowl season through the day before waterfowl season as posted at the site.

c) Blind winners on the following sites will be provided forms for the

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purpose of maintaining waterfowl harvest records. The forms must be completed and returned within 15 days after the close of the site's waterfowl season or the blind builder and partners for that blind shall not be allowed to be a blind builder or partner at these sites for the following year.

Chain O'Lakes State Park

Des Plaines Conservation Area

Kankakee River State Park

Redwing Slough/Deer Lake

William Powers Conservation Area

(Source: Amended at 20 Ill. Reg. **12417**, effective **AUG 30 1996**)

Section 590.60 Various Other Department Sites - Duck, Goose and Coot Hunting

The sites listed in this Section conform to Statewide Regulations (Section 590.10), General Department Regulations (Section 590.30) and the following regulations, except as noted.

a) Regulations

- 1) Hunting hours are from legal opening to 1:00 p.m., except hunting shall be permitted until sunset on those sites indicated with by (1) following the location in subsection (b).
- 2) No permanent blinds allowed; all blinds must be of a portable nature and constructed with natural vegetation at the blind site and no pits can be dug. All materials must be removed or dismantled at the end on the day's hunt.
- 3) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of the day's hunt.
- 4) Waterfowl hunters must maintain a distance of 200 yards between hunting parties.
- 5) No hunting is permitted within 200 yards of developed recreation areas, public use facilities, and construction or industrial sites-and-300-yards-from-power-lines.
- 6) No check station is operated nor is any check in/check out required, except as indicated in the remainder of this Section.
- 7) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from two weeks prior to the start of waterfowl season through the waterfowl season except as indicated in the remainder of this Section.
- 8) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the waterfowl season as

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posted at the site.

b) Site specific regulations

- 1) Cache River State Natural Area (1)
- 2) Campbell Pond Wildlife Management Area (1)
- 3) Carlyle Lake Project Lands and Waters

A) No one may enter the subimpoundment area to hunt waterfowl before 4:30 a.m. each day of the waterfowl hunting season, or and no one may remain in the area after 3:00 p.m. each day of the waterfowl hunting season, except during the last 3 days of the Canada goose season and during any goose seasons that occur before or after Canada goose season, hunters must be out of the area by one hour after sunset and not return until 4:30 a.m. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4 and the East Side Management Area located east of the Kaskaskia River. Hurricane-Creek--Area--as-defined-in-subsection-(b)(1)(B)(i).

B) The waters of Carlyle Lake are defined as the lake and that portion of the Kaskaskia River, northfork, eastfork, Peppenhorst Branch and Allen Branch north of the buoys only, and Hurricane Creek that are within the boundaries of the Carlyle Lake property.

C) Individual float tubes (not to exceed 42" diameter) and capable of supporting only one person may be used.

D) Only walk-in hunting shall be permitted in the subimpoundment areas. When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department of Natural Resources personnel shall post that the area is open to boats and will designate boat launching locations. Boats and electric trolling motors only are allowed only at these times in the subimpoundment areas.

E) In the subimpoundment areas, compartment compartments-3--and 4 will be a waterfowl rest area areas during the entire waterfowl season. No hunting within 50 yards of E and F levees which contain subimpoundment 4 is permitted. No waterfowl-hunting-shall-be-permitted-on-Hurricane-Creek-area which-is-defined-as-the-area-bordered-by-the-Kaskaskia-River on-the-Duphyr-B-levee-on-the-west--the-Texas-Gas-Company pipeline-on-the-north-and-a-levee-on-the-east--No-hunting within-50-yards-of-B-levee-(which-surrounds--subimpoundment 3)--or--P-levee-(which-surrounds--subimpoundment--4)--is permitted. No trespassing will be allowed, except for hunters boating through the area on the Kaskaskia River along F levee Hurricane-Creek--area--to--hunt--north--on Hurricane-Creek--or--in--the-subimpoundments. At the close of

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duck hunting season, known eagle protection areas will be posted by the Site Superintendent and will be closed to goose hunting.

F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season and during any goose seasons that occur after Canada goose season, decoys shall not be left out unattended or later than one hour after sunset.

G) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest registration box located at the access parking lot. All hunters must sign out and record their harvest daily before they exit the area.

H) The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only.

I) During the last 3 days of Canada goose season and during any goose seasons that occur after Canada goose season, hunting hours shall close at sunset daily.

4) Chauncey Marsh (1)

Permit required, may be obtained at Red Hills State Park Headquarters and must be returned by February 15.

5) Clinton Lake (1)

A) Hunters must obtain free permit from site office prior to hunting; hunters must return the permit and report harvest by February 15 of following year or hunting privileges for following season shall be forfeited.

B) Hunting is allowed only from anchored portable boat blinds except no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge.

C) No more than 4 persons shall occupy or use a portable boat blind.

D) Each hunting party is required to hunt over a minimum of 12 decoys.

E) No hunting is permitted within 300 yards of power lines.

6) Dog Island Wildlife Management Area (1)

Hunters must sign in prior to hunting and sign out reporting harvest at end of each day.

7) Donnelley State Wildlife Area

A) Hunting is prohibited on Tuesdays and Wednesdays except open on opening day and on the first Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 except as indicated in Section 590.25.

B) Hunting hours start at sunrise.

C) Goose hunting is prohibited after the close of the duck

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- season.
- D) All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted.
- E) All hunters must report to the check station to fill out an information card and turn in hunting licenses or firearm Owner's Identification Cards before proceeding to blinds.
- F) \$10.00 daily usage stamp must be purchased to hunt this area.
- G) No outboard motors are allowed by public - only by authorized DNR BEE personnel.
- H) No more than 3 persons shall occupy a blind at any one time.
- I) All parties are required to report to check station within 1 hour after termination of hunt or no later than 2:00 p.m.
- J) All parties must hunt over a minimum of 12 decoys and a maximum of 48 decoys can be used, which must be removed upon the termination of the hunt.
- K) The first weekend and the third Saturday of the waterfowl season shall be designated as youth hunt days. This will consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
- L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).
- 8) Fox Ridge State Park (1)
Hunting restricted to Embarras River and its flood waters.
- 9) Fort de Chartres Historic Site (1)
A) Hunting is allowed from anchored, portable boat blinds only on a first come-first served basis.
B) Each hunting party is required to hunt over a minimum of 12 decoys which must be removed at the end of each hunting day.
C) Muzzleloading shotguns only.
- 10) Heidecke State Fish and Wildlife Area, Braidwood Fish and Wildlife Area and Powerton Lake
A) Blind sites shall be allocated on a daily draw basis conducted at the check stations 60 minutes before hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no more than three hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
B) Blind sites not selected during the drawing shall be allocated on a first come-first served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be

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- allocated after 10:00 a.m. Hunters wishing to move to another blind site must report this move to the check station attendant in person before such a move.
- C) Access to water blind sites must be by boat only and from designated boat launch sites.
- D) All hunting must be from portable boat blinds, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind.
- E) Upon vacating blind sites, all hunters must report to the check station within 1 hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.
- F) Each hunting party is required to hunt over a minimum of 12 decoys. Decoys must be picked up immediately after the hunt is over.
- G) Heidecke Lake and Braidwood Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 2 weeks prior to duck season until the close of the waterfowl season. Powerton Lake shall be closed to boat traffic from October 1 to February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the waterfowl season.
- H) No hunting on Monday and Tuesday at Heidecke and Braidwood Lakes. No hunting at Powerton Lake on Monday through Thursday except hunting permitted on the water area. It is unlawful to hunt waterfowl on the water area in any watercraft less than 16 feet long and 60 inches in beam and without a gas-powered motor.
- I) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
- K) Hunting is closed on Christmas Day and New Year's Day.
- L) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.
- M) It is unlawful to shoot across any dike.
- N) Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke and Braidwood Lakes waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season.
- 11) Horseshoe Lake (Alexander County) Daily Drawing Waterfowl Hunting Area Only
A) Waterfowl hunting shall be permitted only during goose season, except that no hunting is allowed on Mondays, Tuesdays or December 24, 25, 26 and on the day of the Youth Goose Hunt (this site shall be open only for the Illinois Youth Goose Hunt on the first weekday after December 26 other than a Monday, pursuant to Section 590.25).

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- B) Hunting shall be done from assigned blinds only.
- C) A daily drawing for assigned blind sites will be held 60 minutes prior to legal hunting hours at the check station each day hunting is allowed. For the drawing, hunters must register as a party; no more than two people per party are permitted.
- D) Hunters must deposit their license prior to going to their blinds.
- E) Hunters must park in assigned, designated areas only.
- F) Hunters must hunt over a minimum of 12 Canada goose decoys.
- G) Hunters must return to the check station and report their harvest by 2:00 p.m.
- H) Hunters may not possess more than 5 shells for each Canada goose or subspecies allowed in the daily bag.
- I) Hunters cannot move from blind to blind, nor leave the assigned blind to shoot crippled geese; hunters may leave the assigned blind to retrieve crippled geese, but must leave their guns in the blind.
- 12) Horseshoe Lake (Alexander County) Public Hunting Area
- 13) Horseshoe Lake Refuge (no hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15 to March 1)
- 14) ~~Joint Army-Ammunition Plant--(Will-County)~~
- A) ~~Hunters-must-check-out-by-2:00-p.m.--A-daily-drawing-will-be held-at-the-check-station-60-minutes-prior-to-legal-hunting hours-on-each-day-hunting-is-allowed--A-daily-fee-of-\$5.00 per-person-will-be-charged-for-waterfowl-hunting.~~
- B) ~~Only-walk-in-hunting-will-be-permitted--blinds-must-be portable-in-nature-or-constructed-of-natural-materials located-at-the-blind-site-and-must-be-removed-at-the-end-of the-day-a-hunt---A-maximum-of-3-hunters-per-blind-will-be allowed.~~
- C) ~~The-site-shall-be-closed-to-waterfowl-hunting-on-Mondays, Tuesdays, Fridays, Thanksgiving, Christmas, New Year's--Day and-during-site-firearms-deer-hunts.~~
- D) ~~Waterfowl-hunters-must-hunt-within-50-feet-of-the-blind location-marker--All-movement-on-site-must-be-directly between-the-check-station-and-blind-location--Entry-into restricted-areas-shall-result-in-the-loss-of-hunting privileges-at-the-site-for-the-remainder-of-that-season.~~
- 14) ~~15) Kaskaskia River Fish and Wildlife Area~~
- A) No waterfowl hunters may remain in the area after 3:00 p.m. for those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal hunting hours shall be from statewide opening hour until statewide closing hour.
- B) All waterfowl hunting parties must use at least 12 decoys. Hunting is allowed on a first come-first served basis.
- C) It is unlawful to leave duck and goose decoys unattended.

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- D) Decoys must be picked up at the end of each day's hunt.
- E) Between the Highway 13 and Highway 154 Bridges, all hunters are required to sign out and report harvest daily at the nearest check station.
- The following regulations apply to the Doza Creek Waterfowl Management Area:
- i) No waterfowl hunters may enter the area before 3:00 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
- ii) Only waterfowl, coot and archery deer (as provided by 17 Ill. Adm. Code 670) hunting allowed in this area during the duck hunting season; goose hunting is closed during the second firearm deer season if the second firearm deer season occurs after duck season.
- 15) ~~16) Kidd Lake State Natural Area (1)~~
- 16) ~~17) Kinkaid Lake Fish & Wildlife Area (1)~~
- 17) ~~18) Lake Shelbyville (except for land/waters covered in subsection 590-60(b)(19) of this Section) (1)~~
- 18) ~~19) Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area~~
- A) Waterfowl hunting shall be permitted as described below except in duly posted restricted and "No Hunting" areas.
- B) Waterfowl hunting in the Fish Hook, the North Dunn, the McGee, and the Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing from opening day through the first Saturday and Sunday of the regular waterfowl season. Parties must register for drawings between 3:00 a.m. and 4:00 a.m. Central Standard Time at the check station on those days. Each party drawn shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations shall apply:
- i) All parties must hunt within 10 yards of their assigned stake.
- ii) All parties must be in place by one-half hour before hunting time.
- iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
- C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first come-first served basis except as noted in subsections (b)(18)(A) and (B) above. A hunting party must hunt within 10 yards of the stake.
- D) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas are required to hunt over a minimum of 12 decoys.

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- E) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn, and McGee Waterfowl Areas.
- F) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.
- G) During the regular waterfowl season, no bank or boat fishing shall be permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from one-half hour before sunrise until 1:00 p.m.

- H) A free permit is required, which is obtained from the site office. Permits must be in possession while hunting waterfowl. The permit must be returned and harvest reported by February 15 or the hunter will forfeit his hunting privileges at this site for the following year.

19) Medewin National Tallgrass Prairie

- A) Hunters must check out by 2:00 p.m. A daily drawing will be held at the check station 60 minutes prior to legal hunting hours on each day hunting is allowed. A daily fee of \$5.00 per person will be charged for waterfowl hunting.

- B) Only walk-in hunting will be permitted; blinds must be portable in nature or constructed of natural materials located at the blind site, and must be removed at the end of the day's hunt. A maximum of 3 hunters per blind will be allowed.

- C) The site shall be closed to waterfowl hunting on Mondays, Tuesdays, Fridays, Thanksgiving, Christmas, New Year's Day, and during site firearms deer hunts.

- D) Waterfowl hunters must hunt within 50 feet of the blind location marker. All movement on-site must be directly between the check station and blind location. Entry into restricted areas shall result in the loss of hunting privileges at the site for the remainder of that season.

20) Meredosia Lake - Cass County Portion Only (meandered waters only)

- A) All boat traffic is prohibited from operating on meandered waters (except non-motorized boats may be used to assist in the retrieval of waterfowl shot from private land) during the period from one week before waterfowl season opens until the season closes.

- B) Hunting and/or any other activity is prohibited during the period from one week before waterfowl season opens until the season closes.

21) Mermet

- A) Waterfowl hunting shall be permitted only during the duck hunting season.
- B) Hunting is allowed in both the walk-in and blind areas only.

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Those individuals wishing to hunt in the walk-in area are required to deposit their hunting licenses and register at the check station prior to entering the area. Individuals who wish to use the blind area are required to deposit their hunting licenses and participate in a daily drawing during which blinds shall be assigned. Hunting parties shall not change blinds without prior approval from the check station operator. Those persons exempted by law from having hunting licenses must deposit their Firearm Owner's Identification Cards.

- C) The daily drawing shall be held one hour prior to legal opening time.
- D) All members of the hunting party shall register as a group (not to exceed 4 persons per group) for the purpose of the drawing.

- E) Those hunters in the blind area shall park in designated areas. These parking areas shall be numbered to correspond with particular blind sites located along the levee road.

- F) In the blind area, a minimum of 12 decoys per blind is required while hunting waterfowl.

22) Oakford Conservation Area (1)

- 23) Ray Norbut State Fish and Wildlife Area Pike-County--Conservation Area (1)

Statewide season regulations apply except that the season closes November 30 in Area A and December 15 in Area C, or the legal statewide closing, whichever is earlier.

24) Rend Lake Project Lands and Waters

- A) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, and during any goose season occurring after the Canada goose season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.

- B) No hunting permitted from the subimpoundment dams.

- C) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.

- D) No waterfowl hunting permitted within 200 yards of any Whistling Wings Access Area daily drawing blind/pit.

- E) All boat traffic is prohibited from entering the daily-posted waterfowl-refuge-and-the subimpoundments from 1 week before waterfowl season until opening day of waterfowl season March 1.

- F) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
- G) Permanent blinds at the Whistling Wings Access Area shall be regulated as follows:

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- i) During goose season, a separate drawing will be held for the 4 pits at Whistling Wings. This drawing will be held at the Cottonwood check station following the drawing for staked hunting sites 4:30--a.m.--daily--at the--Bonnie-Dam--Access--Area. Hunters may not register for more than one drawing per day. Unsuccessful hunters in the drawing for Whistling Wings pits may select any unclaimed staked location after the drawings.
- ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.
- iii) All hunters must have the registration card from the check station in their possession while hunting.
- iv) Two standby parties will be drawn for pit refill after move-up of initial hunting parties, in the reverse order of the order the pits were drawn.
- v) No more than 6 four--(4) dozen decoys may be used per pit.
- vi) No more than four--(4) hunters will be allowed in a pit or hunting party.
- H) Each hunting party is required to hunt over a minimum of 12 decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- I) During the last 3 days of Canada goose season and during any goose seasons occurring after Canada goose season, hunting hours shall close at sunset daily.
- J) The land portion of the Rend Lake Refuge is closed to trespassing during waterfowl season. The location of the Rend Lake Refuge is described as follows:
- i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
- ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
- iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
- iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
- v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
- vi) Bounded on Nason Point by refuge boundary signs at project limits.
- K) After the close of duck season, goose hunters may not possess more than 5 shotgun shells for each Canada Goose allowed in the daily bag.
- L) Staked Hunting Areas - Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:

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- i) All hunting must occur within 10 yards of an assigned, numbered stake and only one hunting party may occupy a staked site at any given time.
- ii) Stakes will be assigned via a daily drawing held at 4:00 a.m. during November, 4:30 a.m. in December and 5:00 a.m. in January and--at--4:30--a.m.--during--the remainder--of--the--season--at--locations--to--be--publicly announced. Check stations will be open from 1/2 hour before drawing time to 9:30 a.m. daily.
- iii) Check station at the Bonnie Dam Access Area will be operated on a daily basis through the second weekend of the waterfowl season. Thereafter, Bonnie Dam check station will only be open on weekends and holidays as posted at the check station. Cottonwood Access Area will be operated on a daily basis throughout the waterfowl season for both Bonnie Dam and Cottonwood Hunting Areas. Hunters who wish to hunt together at a staked location must register as a hunting party and be present for the drawing. Only those persons in that party may hunt at the assigned stake. No more than five--(5) persons shall be in a hunting party.
- iv) Hunters (including those who are not drawn in the initial daily 4:30--a.m.--drawing) will not be allowed to enter the staked area until 9:00 a.m. No hunting party may enter the staked area after 9:30 a.m. Hunters will not be allowed to enter the staked area between 9:00 a.m. and 9:30 a.m. unless there are vacant staked hunting locations.
- v) When a staked hunting location is vacated by a hunting party any other registered hunting party may claim the vacant stake on a first come-first served basis.
- vi) When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
- vii) Hunters must sign in and out and report their harvest on the cards at the access area where they launch.
- 25) Saline County Conservation Area (1)
- A) Waterfowl hunting is allowed north of the township road only.
- B) Walk-in hunting only.
- C) Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.
- 26) Sand Ridge State Forest (Mud Turtle State Natural Area) (1)
- A) Hunting is permitted on Tuesdays and Saturdays during the duck season. Permits are issued on a first come-first served basis.
- B) Two hunters are allowed per blind. At least one hunter must

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have a P-2 handicapped certification.

C) Hunters must report harvest to site office.

27)267 Sanganois Conservation Area (Walk-in-Areas)

A) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.

B) Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.

C) All hunters using a walk-in area must report to the check station to fill out information cards and to turn in hunting licenses or Firearm Owner's Identification Cards before proceeding to area.

D) Upon the completion of hunting, hunters must report to the check station within one hour.

E) Fishing is prohibited in the impoundment areas during the duck waterfowl season.

F) No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season.

G) No person shall trespass on the Marion-Pickrel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.

H) When the central zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide hunting hours in effect. Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.

I) No hunting permitted from the walk-in area subimpoundment levee.

28)277 Sangchris Lake State Park

A) During the last 3 days of Canada goose season, hunting hours will close at statewide closing.

B) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first come-first served basis. (During that portion of the goose season which follows the duck season, the west arm blind sites and east arm blind sites south of power lines shall be available for goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)

C) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.

D) Upon vacating their blinds, hunters must place their

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completed harvest cards in the collection boxes located at either the east or west boatdock.

E) There will be a duly posted waterfowl refuge. These areas shall be closed to all boat traffic (except as allowed in subsection (b)(27)(J)) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted.

F) No more than 4 persons shall occupy a blind at one time.

G) The center arm of the lake shall be closed to all waterfowl hunting.

H) Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the operations of the overall management program.

I) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.

J) Access to blind sites shall be by boat only and from designated boat launch sites. Corridors located along the edges of the existing refuge will be established to provide access to all available blind sites as designated by site superintendent when conditions warrant.

K) All hunting must be from 1 portable blind or 1 anchored portable boat blind located within a numbered cove and between the assigned numbered stakes.

L) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.

M) No pits or blinds shall be built on State leased or Commonwealth Edison land.

N) Blind sites: A position between two like numbered stakes within a cove where a blind may be located.

O) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the goose season that follows the duck season.

P) Each party must hunt over a minimum of 12 decoys, and all decoys must be removed at the end of each day's hunt.

Q) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting programs.

R) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and

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Dog Island Wildlife Management Area *

Fort de Chartres Historic Site

Kaskaskia River State Fish and Wildlife Area (between the Highway 13 and Highway 154 bridges) *

Kidd Lake State Natural Area

Kinkaid Lake Fish and Wildlife Area

Lake Shelbyville (except lands and waters covered in Section 590.60(b)(19))

Marshall Fish and Wildlife Area *

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26) @

Mississippi River Pools 16, 17 and 18 @

Oakford Conservation Area

Rend Lake Project Lands and Waters @

Saline County Conservation Area *

Sanganois State Fish and Wildlife Area * @

Shawnee Forest, LaRue Scatters

Shawnee Forest, Oakwood Bottoms

Sparland Fish and Wildlife Area #

Ten Mile Creek Fish and Wildlife Area (permit required; rest areas open to hunting during goose season before and after the regular goose season)

Turkey Bluffs State Fish and Wildlife Area *

Woodford Fish and Wildlife Area * #

c) The following sites will be open to any goose hunting seasons that occur before the regular duck season through the end of the regular Canada Goose Season:

Anderson Lake (closed after regular duck season) * @

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Horseshoe Lake Fish and Wildlife Area (Controlled Hunting Area and Public Hunting Areas)

Horseshoe Lake State Park (Madison County) #

Lake Shelbyville West Okaw and Kaskaskia Fish and Wildlife Area (must have site specific permit)

Ray Norbut State Fish and Wildlife Area *

Rice Lake (closed after regular duck season) * @

Union County Fish and Wildlife Area (Firing Line Management Area and Controlled Hunting Area)

d) The following sites will be opened to all goose hunting during any Canada goose hunting seasons that occur after the regular duck season:

Braidwood State Fish and Wildlife Area *

Clinton Lake

Heidecke State Fish and Wildlife Area *

Kankakee River State Park

Lake DePue Fish and Wildlife Area *

Lake Sinissippi Fish and Wildlife Area

Pekin Lake Fish and Wildlife Area

Sangchris Lake State Park *

Spring Lake Fish and Wildlife Area *

Starved Rock State Park *

e) The following sites will be opened to any goose hunting seasons that occur after the regular Canada goose hunting season:

Banner Marsh * @

Mississippi River Pools 21, 22 and 23 @

Stephen A. Forbes State Park *

Snake Den Hollow * @

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William W. Powers Conservation Area

- f) The following sites will be closed to all goose hunting seasons that occur outside the regular duck season dates:

Campbell Pond Wildlife Management Area

Donnelley Fish and Wildlife Area

Mazonia State Fish and Wildlife Area *

Meredosia Lake (Cass County portion only, meandering waters only)

Mernett Lake Fish and Wildlife Area

Powerton Reservoir

Redwing Slough/Deer Lake

- b) Shawnee Forest, Upper and Lower Bluff Lakes
The following sites shall be closed to goose hunting during seasons that extend beyond the Canada goose season:

Region-1

Banner Marsh
 Rice Lake
 Anderson Lake
 Spring Lake
 Bonnetty--Bapue
 Powerton

Region-2

Kankakee River State Park
 Heidecke Lake
 Braidwood--Mazonia
 William Powers

Region-3

Lake Shelbyville--Federal Lands
 Lake Shelbyville--Kaskaskia Unit
 Lake Shelbyville--West Okaw Unit
 Clinton Lake

Region-4

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Sangchris Lake
Ray Norbet

Region-5 (Union and Alexander Counties-Closed)

Horseshoe Lake Conservation Area
Union County Conservation Area
Upper and Lower Bluff Lakes

(Source: Amended at 20 Ill. Reg. 12417, effective
AUG 9 0 1996)

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NOTICE OF ADOPTED RULES

1) Heading of the Part: Youth Hunting Season for White-Tailed Deer2) Code Citation: 17 Ill. Adm. Code 6853) Section Numbers: Adopted Action:

685.10 New Section
 685.20 New Section
 685.30 New Section
 685.40 New Section
 685.50 New Section
 685.60 New Section
 685.70 New Section

4) Statutory Authority: Implementing and authorized by Section 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26, and 3.36].5) Effective Date of Rulemaking: August 30, 19966) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? No8) Date filed in Agency's Principal Office: August 30, 19969) Notice of Proposal Published in Illinois Register: May 31, 1996, 20 Ill. Reg. 750210) Has JCAR issued a Statement of Objections to these rules? No11) Difference(s) between proposal and final version:

The last sentence of Section 685.20(b) was changed to read as follows:
 "If more space is available than the number of applications received, remaining permits will be filled on a first come first served basis."

In Section 685.20(e), "their" was changed to "his or her".

Section 685.20(i) was changed to read as follows: "A \$3.00 service fee shall be charged for replacement permits issued by the Department."

In Section 685.20(j), the parenthesis were removed.

In Section 685.30(b)(3), the quotes were removed.

In Section 685.40(b), "them" was changed to "the youth".

The first sentence of Section 685.60(a) was changed to read as follows:
 In the event that an applicant commits one of the violations described in

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subsections (a)(1) through (5) below, the application shall be held in suspension, and the application fees shall be deposited, pending a determination by the Department of whether the violation was knowing.

The last sentence of Section 685.60(a) was changed to read as follows:
 Should it be determined that the violation was without the knowledge of the applicant, the permit office will process the application.

In Section 685.60(a), the reference to "Ill. Rev. Stat." was removed.

In Section 685.60(a)(4), the following was added at the end of the sentence: "for the current season."

In Section 685.60(b), language was changed to read as follows: Any violation of the Wildlife Code, in addition to other penalties, may result in revocation of hunting licenses and permits as per 17 Ill. Adm. Code 2530.

In Section 685.70, "news release" was changed to "public announcement".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will this rulemaking replace an emergency rule currently in effect? No14) Are there any amendments pending on this Part? No15) Summary and Purpose of Rulemaking: This rule establishes the season dates and requirements for a youth white-tailed deer hunt.16) Information and questions regarding these adopted rules shall be directed to:

Jack Price
 Department of Natural Resources
 524 S. Second Street, Room 430
 Springfield, IL 62701-1782/1782-1809

The full text of the Adopted Rule begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER D: FISH AND WILDLIFE

PART 685
YOUTH HUNTING SEASON FOR WHITE-TAILED DEER

- Section 685.10 Statewide Season
- 685.20 Statewide Deer Permit Requirements
- 685.30 Statewide Firearm Requirements for Hunting the Youth Deer Season
- 685.40 Statewide Deer Hunting Rules
- 685.50 Reporting Harvest
- 685.60 Rejection of Application/Revocation of Permits
- 685.70 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 2.24, 2.25, 2.26 and 3.36].

SOURCE: Adopted at 20 Ill. Reg. **12452**, effective **AUG 30 1995**.

Section 685.10 Statewide Season

- a) Season: Noon on Saturday of the first weekend (Saturday and Sunday) that begins after October 11 to sunset on Sunday of this weekend. Shooting hours are one-half hour before sunrise to sunset.
- b) The Department of Natural Resources (Department) shall open a select county or counties to harvest surplus deer via youth deer hunting using shotgun or muzzleloader. The Department shall notify the public which county or counties will be open via a news release.

Section 685.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid "Youth Deer Hunt Permit" (\$10.00). The Youth Deer Season is only open to Illinois residents who will be at least 10 years of age, but not have reached their 16th birthday, by the start of the Youth Deer Season. All participating youths must have completed a State-approved Hunter Education course. A permit is issued for one county and is valid only in the county stated on the permit. For permit applications and other information write to:

Department of Natural Resources
(Youth Deer Season)
Division of Education
Public Events and Promotions Section
524 South Second Street

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED RULES

Springfield, IL 62701-1787

- b) Applications shall be accepted beginning August 1 and ending on the tenth weekday in August for the Youth Deer Season in October. Applications received after the tenth weekday shall not be included in the drawing. Permits shall be allocated in a random drawing. Applications not correctly filled out shall be rejected from the random drawing. Permits shall be issued as antlerless only, if more space is available than the number of applications received, remaining permits will be filled on a first come-first served basis.
- c) In-person and mail-in applications shall receive equal treatment in the drawings.
- d) Each applicant must apply using the official agency Youth Deer Season Permit Application, and must complete all portions of the form. No more than one application per envelope shall be accepted. Each applicant must submit a separate personal check or money order. Separate envelopes must be used to send permit applications for regular firearm, muzzleloading rifle, archery, handgun, free or paid landowner/tenant permits, and youth deer season permits.
- e) For the applicant to be eligible to receive a Youth Deer Season Permit (\$10.00), applicant must be an Illinois resident and not have had his or her deer hunting privileges suspended or revoked in this State pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36].
- f) Successful applicants will be notified by mail when and where they should report to receive their permit. Permits shall be issued at the time of the hunt. All permit holders shall be required to attend an instructional session immediately preceding the hunt. Applications will be returned to unsuccessful applicants.
- g) Recipients of the Youth Deer Season Hunting Permit shall record their signature, hunting license number (unless exempt) and physical description on the permit and must carry it on their person while hunting.
- h) Permits are not transferable. Refunds shall not be granted unless the Department has erroneously issued the permit after the quota has been depleted or where the applicant was unsuccessful in obtaining a permit.
- i) A \$3.00 service fee shall be charged for replacement permits issued by the Department.
- j) Each applicant must enclose a separate \$10.00 check or money order payable to the Department of Natural Resources, or the application shall be returned. Applicants should not send cash with their applications. The Department shall not be responsible for cash sent through the mail.

Section 685.30 Statewide Firearm Requirements for Hunting the Youth Deer Season

- a) Specifications of legal firearms and their respective legal ammunition for the Youth Deer Hunt are described below:

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- 1) Shotgun, loaded with slugs only, of not larger than 10 nor smaller than 20 gauge, not capable of firing more than 3 consecutive slugs; or
 - 2) A single or double barreled muzzleloading firearm of at least .45 caliber shooting a single projectile through a barrel of at least sixteen inches in length.
- b) The standards and specifications for use of such muzzleloading firearms are as follows:
- 1) A muzzleloading firearm is defined as a blackpowder firearm that is incapable of being loaded from the breech end.
 - 2) The minimum size of the muzzleloading firearm projectile shall be .44 caliber. A wad or sleeve is not considered a projectile or a part of the projectile. Full metal jacket bullets cannot be used to harvest white-tailed deer.
 - 3) Only black powder or a black powder substitute such as Pyrodex may be used. No smokeless powder may be used.
 - 4) Percussion caps, wheellock, matchlock or flint type ignition only may be used.
 - 5) Removal of percussion cap, or removal of prime powder from frizzen pan with frizzen open and hammer all the way down, or removal of prime powder from flashpan and wheel un-wound, or removal of prime powder and match with match not lit shall constitute an unloaded muzzleloading firearm.

- c) It shall be unlawful to use or possess any type of firearm or ammunition in the field other than those specifically authorized by this rule while hunting white-tailed deer during the Youth Deer Hunting Season, but archery deer hunters in possession of a valid archery deer permit may hunt during this season provided that, in county or counties open to youth deer hunting, they wear the orange garments required of gun deer hunters. The otherwise lawful possession of firearms to take furbearing mammals and game mammals other than deer shall not be prohibited during the Youth Deer Hunting Season as set in Section 685.10.

Section 685.40 Statewide Deer Hunting Rules

- a) Bag limits: One antlerless deer per legally authorized permit. An antlerless deer is a deer without antlers or a deer having antlers less than 3 inches long.
- b) Each hunter participating in the Youth Deer Hunt must be accompanied by a nonhunting supervisor (parent, guardian, or responsible adult) who has in his or her possession a valid Firearm Owners Identification (F.O.I.D.) Card. The nonhunting supervisor must wear the orange garments required of gun deer hunters, and must remain with the hunting youth so as to have the youth under immediate control. Each supervisor may only accompany a single youth at any given time during the hunt.
- c) The leg tag must be attached and properly sealed immediately upon kill

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and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the leg tag to the deer. The leg tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a taxidermist or tanner for processing must supply the taxidermist or tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the taxidermist or tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

- d) Hunters shall not have in their possession, while in the field during the Youth Deer Season, any deer permit issued to another person (permits are non-transferable).
- e) Permits shall not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Disposal of unfit deer taken shall be the responsibility of the hunter.

Section 685.50 Reporting Harvest

- a) Deer shall be checked in by the hunter in person by 8:00 p.m. the same day the deer is harvested at the authorized county Youth Deer check station.
- b) Failure to follow this Section constitutes illegal possession of deer.

Section 685.60 Rejection of Application/Revocation of Permits

- a) In the event that an applicant commits one of the violations described in subsections (a)(1) through (5) below, the application shall be held in suspension, and the application fees shall be deposited, pending a determination by the Department of whether the violation was knowing. If the Department determines the violation was knowing, the application shall be rejected and the fee shall be retained by Natural Resources. The applicant may request a hearing on this decision pursuant to 17 Ill. Adm. Code 2530. Should it be determined that the violation was without the knowledge of the applicant, the permit office will process the application.

- 1) Submitting more than one application in the same name or by the same person for a Youth Deer Season Permit.
- 2) Providing false and/or deceptive information on the deer permit application form.
- 3) Submitting an application when the applicant has a license or permit currently revoke pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36].
- 4) Submitting an incomplete or incorrect application.
- 5) Applicant having previously received a Youth Deer Hunting permit for the current season.
- b) Any violation of the Wildlife Code, in addition to other penalties,

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may result in revocation of hunting licenses and permits as per 17 Ill. Adm. Code 2530.

Section 685.70 Regulations at Various Department-Owned or -Managed Sites

Sites will be opened to youth deer hunting at the discretion of the Department; open sites will be announced via public announcement.

ILLINOIS POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Solid Waste
- 2) Code Citation: 35 Ill. Adm. Code 807
- 3) Section Numbers: Adopted Action:
807.105 Amended
- 4) Statutory Authority: 415 ILCS 5/27
- 5) Effective Date of Rulemaking: August 15, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 15, 1996
- 9) Notice of Proposal Published in Illinois Register: 19 Ill. Reg. 14280, October 13, 1995
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The amendment to this rule reflects the addition of a new part (35 Ill. Adm. Code 816) to the regulations. The interrelationship of these amendments is explained in the Board's opinion.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Charles M. Feinen
Address: 100 West Randolph
State of Illinois Center
Suite 11-500
Chicago IL, 60601
Telephone: (312) 814-3473

Copies of the Board's opinion and orders may be requested from the Clerk of the Board at the address above. Please refer to the Docket number R96-1.

ILLINOIS POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 807
SOLID WASTE

SUBPART A: GENERAL PROVISIONS

Section	Authority, Policy and Purposes
807.101	Repeals
807.102	Severability
807.103	Definitions
807.104	Relation To Other Rules
807.105	

SUBPART B: SOLID WASTE PERMITS

Section	Development Permits
807.201	Operating Permits
807.202	Experimental Permits
807.203	Former Authorization
807.204	Applications for Permit
807.205	Permit Conditions
807.206	Standards for Issuance
807.207	Permit No Defense
807.208	Permit Revision
807.209	Supplemental Permits
807.210	Transfer of Permits
807.211	Permit Revocation
807.212	Design, Operation, and Maintenance Criteria
807.213	Revised Cost Estimates
807.214	

SUBPART C: SANITARY LANDFILLS

Section	Prohibition
807.301	Compliance with Permit
807.302	Methods of Operation
807.303	Equipment, Personnel and Supervision
807.304	Cover
807.305	Litter
807.306	Salvaging
807.307	Scavenging
807.308	Animal Feeding
807.309	Special Wastes
807.310	

ILLINOIS POLLUTION CONTROL BOARD

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- 807.311 Open Burning
 807.312 Air Pollution
 807.313 Water Pollution
 807.314 Standard Requirements
 807.315 Protection of Waters of the State
 807.316 Application
 807.317 Operating Records
 807.318 Completion or Closure Requirements
- SUBPART E: CLOSURE AND POST-CLOSURE CARE
- Section
 807.501 Purpose, Scope and Applicability
 807.502 Closure Performance Standard
 807.503 Closure Plan
 807.504 Amendment of Closure Plan
 807.505 Notice of Closure and Final Amendment to Plan
 807.506 Initiation of Closure
 807.507 Partial Closure
 807.508 Certification of Closure
 807.509 Use of Waste Following Closure
 807.523 Post-Closure Care Plan
 807.524 Implementation and Completion of Post-closure Care Plan

SUBPART F: FINANCIAL ASSURANCE FOR CLOSURE AND POST-CLOSURE CARE

- Section
 807.600 Purpose, Scope and Applicability
 807.601 Requirement to Obtain Financial Assurance
 807.602 Time for Submission of Financial Assurance
 807.603 Upgrading Financial Assurance
 807.604 Release of Financial Institution
 807.605 Application of Proceeds and Appeal
 807.606 Release of the Operator
 807.620 Current Cost Estimate
 807.621 Cost Estimate for Closure
 807.622 Cost Estimate for Post-Closure Care
 807.623 Biennial Revision of Cost Estimate
 807.624 Interim Formula for Cost Estimate
 807.640 Mechanisms for Financial Assurance
 807.641 Use of Multiple Financial Mechanisms
 807.642 Use of Financial Mechanism for Multiple Sites
 807.643 Trust Fund for Unrelated Sites
 807.644 RCRA Financial Assurance
 807.661 Trust Fund
 807.662 Surety Bond Guaranteeing Payment
 807.663 Surety Bond Guaranteeing Performance
 807.664 Letter of Credit

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- 807.665 Closure Insurance
 807.666 Self-Insurance for Non-commercial Sites

SUBPART G: SITE-SPECIFIC RULES AND EXCEPTIONS NOT OF GENERAL APPLICABILITY

- Section
 807.700 Cretex Pressure Pipe, Inc. Concrete Waste Disposal Site

APPENDIX A Financial Assurance Forms

- ILLUSTRATION A Trust Agreement
 ILLUSTRATION B Certificate of Acknowledgment
 ILLUSTRATION C Forfeiture Bond
 ILLUSTRATION D Performance Bond
 ILLUSTRATION E Irrevocable Standby Letter of Credit
 ILLUSTRATION F Certificate of Insurance for Closure and/or Post-Closure Care
 ILLUSTRATION G Operator's Bond Without Surety
 ILLUSTRATION H Operator's Bond With Parent Surety
 ILLUSTRATION I Letter from Chief Financial Officer

APPENDIX B Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 21.1 and 22 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/5, 21.1, 22, and 27].

SOURCE: Adopted as an emergency rule and filed with the Secretary of State July 27, 1973; amended at 2 Ill. Reg. 16, p. 3, effective April 10, 1978; codified at 7 Ill. Reg. 13636; recodified from Subchapter h to Subchapter i at 8 Ill. Reg. 13198; emergency amendment in R84-22A at 9 Ill. Reg. 741, effective January 3, 1985, for a maximum of 150 days; amended in R84-22B at 9 Ill. Reg. 6722, effective April 29, 1985; amended in R84-22C at 9 Ill. Reg. 18942, effective November 25, 1985; amended in R84-45 at 12 Ill. Reg. 15566, effective September 14, 1988; amended in R88-7 at 14 Ill. Reg. 15832, effective September 18, 1990; emergency amendment in R93-25 at 17 Ill. Reg. 17268, effective September 24, 1993, for a maximum of 150 days; amended in R90-26 at 18 Ill. Reg. 12451, effective August 1, 1994; amended in R96-1 at 20 Ill. Reg. 12459, effective AUG 15 1996.

SUBPART A: GENERAL PROVISIONS

Section 807.105 Relation to Other Rules

- a) Persons and facilities regulated pursuant to 35 Ill. Adm. Code 700 through 749 are not subject to the requirements of this Part or of 35 Ill. Adm. Code 811 through 815 and 817. However, if such a facility also contains one or more units used solely for the disposal of solid wastes, as defined in 35 Ill. Adm. Code 810.103, such units are

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subject to requirements of this Part and 35 Ill. Adm. Code 811 through 815-end 817.

- b) Persons and facilities subject to 35 Ill. Adm. Code 807, 809 or 811 through 815-end 817 may be subject to other applicable Parts of 35 Ill. Adm. Code: Chapter I based on the language of those other Parts. Specific examples of such applicability are provided as explained at 35 Ill. Adm. Code 700.102.
- c) The requirements of 35 Ill. Adm. Code 810 through 815-end 817 are intended to supersede the requirements of this Part. Persons and facilities regulated pursuant to 35 Ill. Adm. Code 810 through 815-end 817 are not subject to the requirements of this Part. This Part does not apply to new units as defined in 35 Ill. Adm. Code 810.103.

(Source: Amended at 20 Ill. Reg. 12459, effective AUG 15 1996)

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Developmental Disabilities Service

2) Code Citation: 89 Ill. Adm. Code 144

3) Section Numbers: Adopted Action:

144.100 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]

5) Effective Date of Amendments: August 30, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Amendments contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 30, 1996

9) Notice of Proposal Published in Illinois Register: May 24, 1996 (20 Ill. Reg. 7302)

10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No

11) Differences between proposal and final version: In Section 144.100(h)(2), the word "section" has been changed to "Section". No other changes have been made in the text of the proposed amendments.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace Emergency Amendments currently in effect? Yes

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments: These amendments allow the Department of Mental Health and Developmental Disabilities (DMHDD) to make exceptional care payments to long term care facilities designated ICF/MR(SNF/Ped license) for clients with high medical needs. Responsibility for the ICF/MR program rests with DMHDD under the authority of Public Act 87-996. ICF/MR facilities with a license for skilled nursing care for children serve clients with developmental disabilities who are under the age of 21 at the time of admission to the facility. Exceptional care payments are made for a level of care which has been determined to be medically necessary and which results in exceptional costs on the basis of nursing services, therapy services, and medical equipment and supplies. Rates are recommended by DMHDD and approved by

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the Department. These rates are greater than that SNF/Ped rate of approximately \$137 per resident day, but are considerably less than the probable hospital rate for comparable services, of \$1,000 day. The exceptional care program for ICF/MR(SNF/Ped) facilities allows children with high medical needs to receive necessary care outside of more costly hospital environments.

These amendments are expected to increase expenditures for DMHDD during fiscal year 1996 by approximately \$2 million, and during fiscal year 1997 by approximately \$4 million.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-0081

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID
NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 144
DEVELOPMENTAL DISABILITIES SERVICES

Section	Incorporation By Reference
144.1	Determination of Program (Active Treatment) Costs
144.5	ICF/MR Service Criteria
144.25	Inspection of Care and Rate Setting Appeal Process
144.50	Comprehensive Functional Assessments and Reassessments (Repealed)
144.75	Exceptional Care Needs of Clients with Developmental Disabilities
144.100	Interdisciplinary Team (IPT) (Repealed)
144.105	Individual Program Plan (IPP) (Repealed)
144.125	Specialized Care - Behavior Development Programs
144.150	Specialized Care - Health and Sensory Disabilities
144.175	Functional Needs
144.200	Service Needs - Medical Care (Repealed)
144.205	Service Needs - Medical and Therapy Services (Repealed)
144.225	Individual Rights (Repealed)
144.230	Reconciliation of Resident Funds
144.250	Discharge Planning/Maximum Growth Potential Plan (Repealed)
144.275	Reimbursement for Program (Active Treatment) Costs in Residential Facilities for Clients with Developmental Disabilities
144.300	Reimbursement for Program (Active Treatment) Costs in Small Scale Residential Facilities
144.325	Capital Rate Calculation
TABLE A	Overview of Staff Intensity Scale of Maladaptive Behaviors
TABLE B	Staff Intensity Scale
TABLE C	IPP Outcomes (Repealed)
TABLE D	Guidelines for Determining Levels of Functioning
TABLE E	Standardized Adaptive Functional Assessment

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Adopted at 14 Ill. Reg. 4166, effective March 9, 1990; Section 144.275 recodified from 89 Ill. Adm. Code 146.225 at 14 Ill. Reg. 7651; amended at 14 Ill. Reg. 17988, effective October 29, 1990; amended at 15 Ill. Reg. 14084, effective September 24, 1991; emergency amendment at 15 Ill. Reg. 16148, effective October 22, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3497, effective February 28, 1992; amended at 16 Ill. Reg. 5898, effective March 20, 1992; amended at 17 Ill. Reg. 8478, effective June 1, 1993; amended at 17 Ill. Reg. 11480, effective July 16, 1993; emergency amendment at 17 Ill.

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Reg. 15126, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended effective October 12, 1993; emergency amendment repealed at 17 Ill. Reg. 22592, effective December 20, 1993; emergency amendment repealed at 17 Ill. Reg. 22592, effective December 20, 1993; emergency amendment at 18 Ill. Reg. 11314, effective July 1, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16619, effective October 27, 1994; amended at 19 Ill. Reg. 2890, effective February 22, 1995; amended at 19 Ill. Reg. 7906, effective June 5, 1995; amended at 20 Ill. Reg. 6916, effective May 6, 1996; emergency amendment at 20 Ill. Reg. 7426, effective May 24, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 9072, effective June 28, 1996; amended at 20 Ill. Reg. 11326, effective August 1, 1996; amended at 20 Ill. Reg. **12465**, effective **AUG 30 1996**.

Section 144.100 Exceptional Care Needs of Clients with Developmental Disabilities Interdisciplinary Team (IDWT) (Repeated)

a) Exceptional Care Program

1) The Department of Mental Health and Developmental Disabilities (DMHDD) may make payments to ICF/MR (SNF/Ped license) facilities, which meet licensure and certification requirements as may be prescribed by the Department of Public Health (DPH).

2) Exceptional medical care is defined as the level of care with extraordinary costs related to services which may include nurse, ancillary specialist services, and medical equipment and/or supplies that have been determined to be a medical necessity. This may apply to Medicaid clients who currently are residing in SNF/Ped facilities, Medicaid patients who are being discharged from the hospital or other setting where Medicaid reimbursement is at a rate higher than the exceptional care rate for related services, or persons who are in need of exceptional care services and who would otherwise be in an alternative setting at a higher cost to the Department. This includes but is not limited to persons with complex respiratory illness, ventilator-dependent persons or persons with high medical needs for whom the SNF/Ped provides a cost-effective living arrangement. High medical needs is defined as licensed staffing costs 50 percent above the level III medical add-on licensed staffing reimbursement rate.

3) DMHDD shall recommend rates to the Department of Public Aid (DPA) for DPA approval in accordance with the provisions of 20 ILCS 1705/18.2 and 305 ILCS 5/5-11. DMHDD will calculate the rates for exceptional care service categories by using data collected from SNF/Ped exceptional care providers.

b) Exceptional Care Requirements

DMHDD may reimburse for exceptional care services only if the SNF/Ped provider agrees to the following conditions:

1) The provider will maintain separate records regarding costs related to the care of the exceptional care residents.

2) The provider must meet all conditions of participation in accordance with 42 CFR Subpart I, Conditions of Participation for

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Intermediate Care Facilities for the Mentally Retarded. If the provider is not in compliance with a condition of participation and such noncompliance is under appeal, DMHDD will delay action on the provider's application to participate in the exceptional care program pending the outcome of the hearing.

3) The provider must demonstrate the capacity and capability to provide exceptional care as documented by DPH and DMHDD records, including, but not limited to, being free of Type A violations and/or conditional license brought upon by violations relating to health care services. If the Type A violation and/or conditional license is under appeal, DMHDD will delay action on the provider's application to participate in the exceptional care program pending the outcome of the hearing.

4) The provider must maintain and provide documentation demonstrating:

A) Adherence to staffing requirements as described in subsection (c) of this Section;

B) Adherence to staff training requirements as described in subsection (d) of this Section;

C) Written agreements as required in subsection (e) of this Section;

D) Presence of emergency policy and procedures as described in subsection (f) of this Section;

E) Medical condition of the resident; and

F) Carer, treatments and services provided to the resident. When residents are mechanically supported, the provider must have and maintain physical plant adaptations to accommodate the necessary equipment, i.e., emergency electrical backup system. The provider shall maintain records demonstrating the facility's maintenance of emergency equipment. Staff must be familiar with the location and operation of the emergency equipment and related procedures. To assure that staff are familiar with operating the emergency equipment, facilities must provide quarterly in-service training for all staff caring for residents.

c) Exceptional Care Staffing Requirements
Staffing requirements for facilities providing exceptional care include:

1) There shall be at least one registered nurse 24 hours a day seven days per week in the facility. Based on the Department's review of the exceptional care services needs, additional registered nurse staff may be determined necessary by DMHDD to implement the medical care plan and meet the needs of the individual.

2) There shall be at least one registered nurse or licensed practical nurse on duty at all times and on each floor housing residents (as required by DPH in 77 Ill. Adm. Code 390.1040(b)).

3) For those facilities providing complex respiratory or ventilator services under exceptional care, there shall be a certified respiratory therapy technician or registered respiratory

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- therapist on staff or on contract with the facility.
- d) Training Requirements for Facilities Providing Exceptional Care for Persons with Tracheostomies and Ventilator-Dependent Residents
- 1) At least one of the full-time professional nursing staff members has successfully completed a course in the care of ventilator-dependent individuals and the use of ventilators, conducted and documented by a certified respiratory therapist or registered respiratory therapist or a qualified registered nurse who has at least one year's experience in the care of ventilator-dependent persons.
 - 2) All staff caring for ventilator-dependent residents must have documented in-service training in ventilator care prior to providing such care. In-service training must be conducted at least annually by a certified respiratory therapist, a registered respiratory therapist or a qualified registered nurse who has at least one year's experience in the care of ventilator-dependent persons. In-service training documentation shall include name and qualifications of the in-service director, duration of presentation, content of presentation and signature and position description of all participants.
 - 3) All staff caring for persons with tracheostomies must have documented in-service training in tracheostomy care, other related medically complex procedures and infection control/universal precautions. The in-services should address all extraordinary situations and/or aspects of care.
 - e) Exceptional Care Agreement Requirements
The provider must have a valid written agreement with:
 - 1) A medical equipment and supply provider which must include a service contract for ventilator equipment when accepting ventilator-dependent residents. Supplies include oxygen, oxygen concentrator, tracheostomy supplies and any other items needed for the services to be delivered;
 - 2) A local emergency transportation provider;
 - 3) A hospital capable of providing the necessary care for equipment-dependent residents, when appropriate; and
 - 4) A certified respiratory therapist or registered respiratory therapist (unless a respiratory therapist is on staff within the facility) when accepting ventilator-dependent residents or residents requiring respiratory therapy services.
 - f) Exceptional Care Emergency Policy and Procedures Requirements
The provider must have specific written policies and procedures addressing emergency care for residents requiring exceptional care.
 - g) Accessibility to Records
The provider must make accessible to DMHDD, DPA and/or DPH all facility, resident and other records necessary to determine the appropriateness of exceptional care services.
 - h) Provider Approval and Voluntary Termination Process
1) A provider should notify DMHDD, in writing, of its interest in

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

- 2) participating in the Exceptional Care Program. DMHDD shall conduct a review of the facility to assure that the facility meets all the exceptional care requirements contained in this Section.
- 3) DMHDD shall notify the provider in writing of its approval for exceptional care services.
- 4) Providers desiring to discontinue provision of exceptional care shall notify DMHDD, in writing, at least 60 days prior to the date of termination. Payment for exceptional care residents already residing in facilities which notify DMHDD that they wish to discontinue providing exceptional care services will be reduced to the facility's standard Medicaid per diem rate. DMHDD will review each approved exceptional care client to determine whether he or she may remain in the facility. For the duration of the time that exceptional care clients remain in the facility, the provider must continue to meet the needs of the individual. Should a transfer to another facility be necessary, the provider must contact the responsible case coordinating agency which will assist in locating another provider.
- 5) It is the responsibility of a SNF/Ped provider to effect appropriate discharge planning for exceptional care residents when terminating services for exceptional care. DMHDD will assist providers with any information available regarding appropriate placement settings.
- 1) Determining Eligibility for Exceptional Care Payment
1) A person currently residing in a SNF/Ped, or a person being discharged from a hospital or those who are in another setting must be approved by an authorized DMHDD representative to be eligible for exceptional care payment.
- 2) Eligible items which may be used in computing the cost of the person's care include nursing services costs, therapy services costs, and medical equipment and supply costs. Computations for determining cost of care shall be based upon reasonable costs for services, medical equipment and supplies for the facility as determined by DMHDD.
- 3) The provider must submit a request for exceptional care to DMHDD. An authorized DMHDD representative will conduct a medical review of the required care and related costs of equipment and supplies. DMHDD will compute the exceptional care rate as the licensed staff cost in excess of the licensed staff cost of the standard rate methodology of the medical level III add-on plus a related cost factor of 15 percent for equipment and supplies. DMHDD will notify the provider of the rate to be paid for the exceptional care services provided.
- 1) Monitoring
1) DMHDD shall provide for a program of delegated utilization review and quality assurance.
- 2) DMHDD shall review exceptional care residents' utilization of

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

services at least once every 90 days. A review may be waived by DMHDD staff if one or more previous assessments show that a resident's condition has stabilized. However, two consecutive reviews shall not be waived. DMHDD exceptional care staff will maintain contact with the SNF/Ped regarding the resident's condition during the time period any assessment is waived.

- 3) In the event that it is determined that the resident is no longer in need of or is no longer receiving exceptional care services, DMHDD shall discontinue the exceptional care payment rate for the resident and reduce the rate of payment to the provider to the facility's standard Medicaid per diem rate, effective the later of either the date of the review or the determination by DMHDD. Notice of this action shall be sent to the provider within 30 days.

- 4) Providers shall be reviewed annually to determine whether they continue to meet all the criteria to participate in the exceptional care program. If the annual review indicates the facility does not meet the exceptional care criteria or the resident is no longer in need of or is no longer receiving exceptional care services, DMHDD shall terminate the agreement. Should DMHDD terminate the agreement, the exceptional care rate will be reduced to the facility's standard Medicaid per diem rate. Termination of the agreement shall be effective 30 days after the date of the notice. DMHDD will review each formerly approved exceptional care client to determine whether he or she may remain in the facility. For the duration of the time that formerly approved exceptional care clients remain in the facility, the provider must meet the needs of the individual. Should a transfer to another facility be necessary, the provider must contact the responsible case coordinating agency which will assist in locating another provider.

(Source: Section repealed at 18 Ill. Reg. 16614, effective October 27, 1994; Aug 31 '96 new Section added at 20 Ill. Reg. 12465, effective Aug 31 '96)

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Claiming Races
- 2) Code Citation: 11 Ill. Adm. Code 510
- 3) Section Number: Adopted Action: 510.190 Repealed
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Rule: September 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporation by reference? No
- 8) Date filed in Agency's Principal Office: August 26, 1996
- 9) Notice of Proposal Published in Illinois Register: 20 Ill. Reg. 7769 - 6/14/96
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Differences between proposal and final version: Added "(Repealed)" after Section heading; added "Section 9(b) of" before "the" in the Authority Note and corrected ILCS cite.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the letter issued by JCAR? Yes
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any other proposed amendments pending in this Part? Section 510.195 - 20 Ill. Reg. 10548 - August 9, 1996.
- 15) Summary and purpose of rules: This repealer eliminates the restriction for entering a standardbred for less than 110% of its claiming price during the 30 days following the claim.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Gina DiCaro
Illinois Racing Board
Legal Department
100 West Randolph, Suite 11-100
Chicago, IL 60601
(312) 814-5070

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendments begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 11: ALCOHOL, HORSE RACING, AND LOTTERY
 SUBTITLE B: HORSE RACING
 CHAPTER 1: ILLINOIS RACING BOARD
 SUBCHAPTER c: RULES APPLICABLE TO ALL OCCUPATION LICENSEES

PART 510
 CLAIMING RACES

Section	Definition
510.10	Claiming Eligibility
510.20	Form and Deposit of Claim
510.30	Errors which Invalidate Claim
510.40	Refund of Voided Claim
510.50	Prohibited Action with Respect to Claim
510.60	Horses under Lien
510.70	Affidavit May be Required
510.80	Claimant's Responsibility
510.90	Claimed Horse's Certificate
510.100	Engagements of a Claimed Horse
510.110	Protests of a Claim
510.120	Title to a Claimed Horse
510.130	Distribution of the Purse
510.140	Delivery of a Claimed Horse
510.150	Trainer Responsibility for Post-Race Tests
510.160	Excusing Claimed Horse
510.170	Stable Eliminated by Fire or Other Hazard
510.180	Entering Claimed Horse (Repealed)
510.190	Claimed Horse Racing Elsewhere
510.200	Sale of a Claimed Horse
510.210	Illinois Rules Govern Claimed Horse
510.220	Extension of Regular Meeting (Repealed)
510.230	Claiming Authorization
510.240	

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 5 Ill. Reg. 1686, effective February 16, 1981; amended at 5 Ill. Reg. 8300, effective August 5, 1981; codified at 5 Ill. Reg. 10911; amended at 7 Ill. Reg. 2167, effective February 4, 1983; amended at 7 Ill. Reg. 3197, effective March 14, 1983; amended at 8 Ill. Reg. 14992, effective August 6, 1984; amended at 14 Ill. Reg. 17636, effective October 16, 1990; amended at 17 Ill. Reg. 12423, effective July 15, 1993; amended at 17 Ill. Reg. 13612, effective July 30, 1993; amended at 18 Ill. Reg. 2064, effective January 21, 1994; amended at 18 Ill. Reg. 11607, effective July 7, 1994; amended at 19 Ill. Reg. 13887, effective October 1, 1995; amended at 20 Ill. Reg. 14166, effective

SEP 01 1996

ILLINOIS RACING BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 510.190 Entering Claimed Horse (Repealed)

- a) For a period of 30 days after the claim of a harness horse, it shall not start in a race in which the eligibility price is less than 10 per cent more than the price at which it was claimed.
- b) The day claimed shall not count, but the following calendar day shall be the first day, and the horse shall be entitled to enter whenever necessary so that it may start on the 31st calendar day following the claim for any claiming price.

(Source: Repealed at 20 Ill. Reg. 12473, effective SEP 01 1996)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED REPEALER

- 1) Heading of the Part: Illinois Children's School and Rehabilitation Center's Respite Program

2) Code Citation: 89 Ill. Adm. Code 787

3) Section Numbers:	Adopted Action:
787.10	Repealed
787.20	Repealed
787.30	Repealed
787.40	Repealed
787.50	Repealed

- 4) Statutory Authority: Implementing and authorized by Sections 3 and 11 of the "Disabled Persons Rehabilitation Act" [20 ILCS 2405/3 and 11].

5) Effective Date of Rulemaking: August 28, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 28, 1996

9) Notice of Proposal Published in Illinois Register: April 5, 1996, 20 Ill. Reg. 5300

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking:

16) Information and questions regarding this adopted repealer shall be directed to:

Ms. Susan Warner, Manager
 Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62794-9429
 217/785-3896

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED REPEALER

TTY: 217/785-9301

DEPARTMENT OF REHABILITATION

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Provider Requirements, Type Services, and Rate of Payment

2) Code Citation: 89 Ill. Adm. Code 686

3) Section Numbers: Adopted Action:
686.10 Amendments

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

5) Effective Date of Rulemaking: August 28, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 28, 1996

9) Notice of Proposal Published in Illinois Register: February 16, 1996, 20 Ill. Reg. 3065

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: Per agreement with JCAR, information regarding the withholding of union dues and fairshare has been deleted. As such withholding exists as a contractual agreement between the Department of Central Management Services and Local 880 of the Service Employees International Union, it is not appropriate for inclusions in Administrative Rules.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: The amendments are being made to clarify when and under what condition individuals who are 14-16 years old may be employed as personal assistants through the Home Service Program.

16) Information and questions regarding this adopted amendment shall be directed to:

Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services

DEPARTMENT OF REHABILITATION
NOTICE OF ADOPTED AMENDMENTS

P.O. Box 19429
Springfield, IL 62794-9429
(217) 785-3896
TTY: (217) 785-9301

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF REHABILITATION
NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 686

PROVIDER REQUIREMENTS, TYPE SERVICES, AND RATES OF PAYMENT

SUBPART A: PERSONAL ASSISTANTS

Section
686.10
686.20
686.30
686.40

Personal Assistant (PA) Requirements
Services Which May Be Provided by a PA
Annual Review of PA Performance
Payment for PA Services

SUBPART B: ADULT DAY CARE PROVIDERS

Section
686.100
686.110
686.120
686.130
686.140

Adult Day Care (ADC) Provider Requirements
Services Which Must Be Provided by ADC Providers
Annual Compliance Review of ADC Providers
Appeal of Compliance Review for ADC Providers
Payment for ADC Services

SUBPART C: HOMEMAKER SERVICES

Section
686.200
686.210
686.220
686.230
686.240

Homemaker Service Provider Requirements
Services Which Must Be Provided by Homemaker Agencies
Annual Compliance Review of Homemaker Agencies
Appeal of Compliance Review for Homemaker Agencies
Payment for Homemaker Services

SUBPART D: ELECTRONIC HOME RESPONSE SERVICES

Section
686.300
686.310
686.320
686.330
686.340
686.350

Electronic Home Response Services (EHRS) Provider Requirements
Services Which Must Be Provided by EHRS Providers
Minimum Specifications for EHRS Equipment
Annual Compliance Review of EHRS Providers
Appeal of Compliance Review for EHRS Providers
Rate of Payment for EHRS Services

SUBPART E: MAINTENANCE HOME HEALTH SERVICE

Section
686.400
686.410

Maintenance Home Health Provider Requirements
Rate of Payment for Maintenance Home Health Services

DEPARTMENT OF REHABILITATION

NOTICE OF ADOPTED AMENDMENTS

SUBPART F: HOME DELIVERED MEALS

Section
686.500 Home Delivered Meals Provider Requirements
686.510 Rate of Payment for Home Delivered Meals

SUBPART G: ENVIRONMENTAL MODIFICATION

Section
686.600 Environmental Modification Provider Requirements
686.610 Cost of Environmental Modification
686.620 Permanency of Environmental Modification
686.630 Reason for Denial of Environmental Modification
686.640 Verification of Environmental Modification

SUBPART H: ASSISTIVE EQUIPMENT

Section
686.700 Assistive Equipment Provider Requirements
686.710 Provision of Assistive Equipment
686.720 Verification of Receipt of Assistive Equipment

SUBPART I: RESPITE CARE

Section
686.800 Respite Care Provider Requirements

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5104, effective March 21, 1995; amended at 20 Ill. Reg. 12477, effective AUG 26 1996.

SUBPART A: PERSONAL ASSISTANTS

Section 686.10 Personal Assistant (PA) Requirements

In order to be employed by a customer as a PA (89 Ill. Adm. Code 676.30(q)), an individual must:

- a) have a Social Security number and provide DORS with documented verification of this number;
- b) be a minor between 14 and 16 years of age who is not employed during school hours, has an employment certificate and meets all other requirements of the Child Labor Law [820 ILCS 205] and has an adult who is at least 21 years of age and who is legally responsible for the customer who will supervise the PA; be 16 years of age or older, enrolled in school and not employed during school hours; or be 17 years of age or older and not enrolled in school; be at least 16 years

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NOTICE OF ADOPTED AMENDMENTS

of age and not employed during school hours; 17 years--of--age--and--a high school graduate--or--at--least--18--years--of--age;

- c) recommendations from present or former employers, the recommendation of a Center for Independent Living (CIL), or, if never employed, references from at least two non-relatives;
- d) be able to communicate with the customer to the satisfaction of the customer and counselor;
- e) be able to follow directions to the satisfaction of the customer and counselor;
- f) have previous experience and/or training that is adequate and consistent with the specific tasks required for safe and adequate care of the customer;
- g) if the customer has a contagious infectious disease, have a physician, health care institution (i.e., hospital, nursing home, home health agency), or CIL certify, in writing, that he/she has the knowledge of precautionary procedures for the control of contagious infectious diseases, if it is anticipated that he/she will come into contact with bodily fluids, or be evaluated by a Registered Nurse licensed pursuant to the Illinois Nursing Act of 1987 ###-Rev--Stat--1991--Ch--### ###-35017--et--seq-- [225 ILCS 65] to determine that he/she has knowledge of such procedures;
- h) complete a Client/Provider Agreement (IL 488-1947) (the IL 488-1947 is signed by the customer and PA showing mutual acceptance) which certifies the PA:

- 1) shall provide services to the individual in accordance with his/her Service Plan (IL 499-1049) (89 Ill. Adm. Code 676.20(t));
- 2) submit a monthly calendar listing of actual hours worked each pay period (1-15; 16-last working day of the month), as verified by the customer and in accordance with the number of hours authorized by DORS. The PA shall not claim more hours than approved by DORS unless prior approval has been granted by the counselor to address a temporary increased service need;
- 3) shall make available to DORS and other designated agencies those records described in subsection (h)(2) above;
- 4) shall maintain all customer information as confidential and not for release, either in writing or verbally, to anyone other than those designated by DORS in writing;
- 5) shall not subcontract to any other person any of the services he/she has agreed to provide;
- 6) shall provide services only while the individual is in his/her home and report to DORS any absence of the customer from his/her home (89 Ill. Adm. Code 676.20(k)) during the period covered by a Service Plan (89 Ill. Adm. Code 684);
- 7) as a PA providing services to a customer of HSP, shall agree that the customer individual to whom he/she is providing services, as the customer--of--PA--service, is responsible for locating, choosing, supervising, training, and disciplining as necessary,

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- the PA. Further, that the State of Illinois does not provide paid vacation, holiday, or sick leave; however, such absences shall be reported to the DORS counselor per the Documentation of Services Home---Services---Authorization---of---Services (IL 488-2251344) only for the purposes of processing payment;
- 8) Understands that DORS reports all payments made to a PA to the Illinois Department of Employment Security (DES) and that the PA may apply for unemployment benefits, but DES, not DORS, makes the determination as to whether the PA shall receive benefits;
- 9) Understands that he/she may apply for Workers' Compensation benefits through DORS and that some customers' ~~individuals~~ may carry such insurance coverage; however, DORS maintains that the customer, not DORS, is the employer for these purposes; and
- 10) Understands that DORS will withhold ~~only~~ Social Security tax (FICA) ~~and, if requested, untaxed~~ dues from payments made to him/her. Federal and State income tax shall be withheld if the PA completes and returns to DORS two separate W-4 forms; ~~No-money will be withheld from any payment made through DORS for federal or State income tax or any other purpose, except in accordance with administrative or judicial orders;~~
- i) complete an I-9 Immigration form, which must be retained by the customer;
- j) for PAs starting on or after April 13, 1992, complete a PA Standards (IL 488-2112) to be returned to DORS; and
- k) as of April 13, 1992, at the time of redetermination of eligibility of the customer by which he/she is employed, have completed by the customer, a Personal Assistant Evaluation (IL 488-2089).

(Source: Amended at 20 Ill. Reg. 12477, effective AUG 26 1996)

SECRETARY OF STATE

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Statements of Economic Interests
- 2) Code Citation: 2 Ill. Adm. Code 565
- 3) Section Numbers: Adopted Action:
 565.20 New Section
 565.30 New Section
 565.40 New Section
 565.50 New Section
 565.60 New Section
 565.70 New Section
- 4) Statutory Authority: Implementing and authorized by the Illinois Governmental Ethics Act (5 ILCS 420/4A-105)
- 5) Effective Date of Rulemaking: September 1, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 1, 1996
- 9) Notice of Proposal Published in Illinois Register: 20 Ill. Reg. 7586, June 7, 1996
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: Non-substantive changes suggested by JCAR.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: The purpose of these rules is to extend the filing deadline for statements of economic interests upon a showing of just cause as to why the form was unable to be filed in a timely manner.
- 16) Information and questions regarding these adopted rules shall be directed to:

Carol Sudman
 Secretary of State
 Room 298, Howlett Building

SECRETARY OF STATE

NOTICE OF ADOPTED RULES

Springfield, Illinois 62756

217/785-3094

The full text of the Adopted Rule begins on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED RULES

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE C: CONSTITUTIONAL OFFICERS
CHAPTER III: SECRETARY OF STATE

PART 565

STATEMENTS OF ECONOMIC INTERESTS

Section	Purpose
565.20	Definitions
565.30	Requests For Extensions
565.40	Reasons For Which Extensions Will Be Granted
565.50	Reasons For Which Extensions Will Not Be Granted
565.60	Failure to File Upon Receipt of Extension
565.70	

AUTHORITY: Implementing and authorized by Section 4A-105 of the Illinois Governmental Ethics Act [5 ILCS 420/4A-105].

SOURCE: Adopted at 20 Ill. Reg. **12485**, effective **SEP 01 1996**.

Section 565.20 Purpose

These rules shall apply only to persons notified by the Secretary of State of their requirement to file statements of economic interests pursuant to Section 4A-101 of the Act [5 ILCS 420/4A-101]. The purpose of these rules is to extend the filing deadline for statements of economic interests upon a showing of just cause as to why the form cannot be filed in a timely manner. Persons granted filing extensions shall have 30 days from their original filing deadline in which to file forms without penalty, unless a longer extension is granted pursuant to Section 565.50 of this Part.

Section 565.30 Definitions

"Act" means the Illinois Governmental Ethics Act [5 ILCS 420/4A].

"Department" means the Secretary of State Index Department.

"Filer" means a person notified by the Department of his or her requirement to file a statement of economic interests pursuant to Section 4A-101 of the Act.

"Immediate family" means a spouse or dependent child of the filer.

"Serious illness" means any illness which can be documented to the Department by a physician's note.

SECRETARY OF STATE

NOTICE OF ADOPTED RULES

Section 565.40 Requests For Extensions

All requests for extensions shall be submitted in writing to the Secretary of State Index Department at 111 E. Monroe Street, Springfield, Illinois 62756. Requests shall include any documentation in support of the filer's reason, including, but not limited to, a physician's note or a receipt of mailing.

Section 565.50 Reasons For Which Extensions Will Be Granted

The Department will extend the filing deadline for 30 days, or longer if the Department deems a longer period is required by the circumstances, beyond the filer's due date for the following reasons:

- a) Death or hospitalization of an immediate family member;
- b) Hospitalization or serious illness of the filer;
- c) Filer was on sabbatical during the original filing period;
- d) Filer did not receive the form due to an incorrect address;
- e) Other reasons within the discretion of the Department. This provision shall be narrowly construed.

Section 565.60 Reasons For Which Extensions Will Not Be Granted

The Department will not extend the filing deadline for the following reasons:

- a) Filer delegated the duty to an individual who failed to file on behalf of the filer for any reason;
- b) Filer claims that the Statement was mailed in a timely manner, yet cannot provide proof of mailing (this includes U.S. mail, overnight service, and inter-office mail);
- c) Filer was ill, but has no documentation from a physician;
- d) Other reasons within the discretion of the Department. The Department's refusal to grant a filing extension is not subject to appeal.

Section 565.70 Failure to File Upon Receipt of Extension

Statements of Economic Interests not filed within the extended filing period shall be subject to the statutory penalties of:

- a) \$15 for forms filed within 15 days after the extended filing deadline;
- b) \$15, plus \$100 per day, for forms filed more than 15 days after the extended filing deadline.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Subacute Alcoholism and Substance Abuse Treatment Services

- 2) Code Citation: 77 Ill. Adm. Code 2090

- 3) Section Numbers: Proposed Action:
2090.35 Amended
2090.40 Amended

- 4) Statutory Authority: The Alcoholism and Other Drug Dependency Act [20 ILCS 301].

- 5) Effective Date of Amendment: August 30, 1996

- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which they expire: No

- 7) Date Filed in Agency's Principal Office: August 30, 1996

- 8) Reason for Emergency: Pregnant women and youth are priority populations for the Department, the State and federal government. Currently, their clinical needs often exceed the reimbursement limits for these services contained in Part 2090. We have also learned that Medicaid allows states to provide extended benefits to pregnant women under COBRA 1985 which provides for "an exception to the comparability requirements with respect to additional services made available to pregnant women." Another federal Medicaid regulation, "Early and Periodic Screening, Diagnostic and Treatment Services (EPSDT)" 43 USC 1396d(r), states that "all services and treatments which are medically necessary to correct or lessen health problems detected or suspected by a screening process will be provided to individuals under the age of 21 as an EPSDT benefit and without regard for the established limits for alcohol and substance abuse services." The Illinois Medical Assistance Program adopted by the Department of Public Aid, effective 7/1/95, also contains this exclusion. Enactment of these amendments in emergency format will allow these high risk priority populations to access all necessary care immediately. Any rules that conflict with these federal regulations (as is the case with current Part 2090) are a threat to public interest and welfare in that they do not allow such clients to receive necessary and adequate services.

- 9) A Complete Description of the Subjects and Issues Involved: These amendments will make Part 2090 consistent with the State Plan for Medicaid Services and the EPSDT requirements in 43 USC 1396d(r).

- 10) Are there any proposed amendments to this Part Pending? No

- 11) Statement of Statewide Policy Objectives: It is not anticipated that this emergency rule will necessitate any local government to establish, expand

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF EMERGENCY AMENDMENT

or modify its activities in such a way as to cause additional expenditures from local revenues.

12) Information and questions regarding these amendments shall be directed to:

Name: Norma Seibert, Administrator
 Address: Division of Licensing and Monitoring
 Department of Alcoholism and Substance Abuse
 222 South College, 2nd Floor
 Springfield, IL 62704
 Telephone: 217/782-0686

The full text of the emergency amendments begins on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF EMERGENCY AMENDMENT

TITLE 77: PUBLIC HEALTH
 CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
 SUBCHAPTER 9: MEDICAID PROGRAM STANDARDS

PART 2090

SUBACUTE ALCOHOLISM AND SUBSTANCE ABUSE TREATMENT SERVICES

Section	Purpose
2090.10	Definitions
2090.20	Medicaid Enrollment
2090.30	General Requirements
2090.35	
<u>EMERGENCY</u>	Reimbursable Services
2090.40	
<u>EMERGENCY</u>	Utilization Review
2090.50	Recordkeeping
2090.60	Rate Setting
2090.70	Rate Appeals
2090.80	Application and Certification Process for Medicaid Providers
2090.90	Recertification
2090.100	Inspections
2090.105	Sanctions for Non-Compliance/Audits
2090.110	

AUTHORITY: Implementing and authorized by Section 5-10 of the Alcoholism and Other Drug Abuse and Dependency Act [20 ILCS 301/5-10].

SOURCE: Adopted at 11 Ill. Reg. 2236, effective January 14, 1987; emergency amendments at 12 Ill. Reg. 11273, effective June 30, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 20061, effective November 26, 1988; emergency amendments at 15 Ill. Reg. 10222, effective June 25, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 16662, effective November 1, 1991; amended at 16 Ill. Reg. 11807, effective July 14, 1992; amended at 18 Ill. Reg. 14223, effective September 2, 1994; amended at 19 Ill. Reg. 9411, effective July 1, 1995; amended at 19 Ill. Reg. 10458, effective July 1, 1995; emergency amendment at 20 Ill. Reg. 12485, effective August 30, 1996, for a maximum of 150 days.

Section 2090.35 General Requirements

EMERGENCY

- a) A physician must review and approve the eligible client's diagnosis and treatment plan within fourteen days after initial service. Medical involvement and treatment plan development and review shall be consistent with 77 Ill. Adm. Code 2058.321 (Medical Responsibility), 2058.333 (Treatment Plans) and 2058.336 (Progress Notes). A Qualified Treatment Professional shall develop and review treatment plans according to the following review times:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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- 1) upon admission, transfer, and discharge;
 - 2) upon a change in the level of client functioning such as, but not limited to, when treatment plan objectives are met or new problems or needs are identified;
 - 3) at times specified for review in the individualized treatment plan;
 - 4) at the end of the estimated length of treatment and thereafter on the revised estimate of additional length of treatment; or
 - 5) every ninety days, whichever comes first.
- b) The provider shall submit Medicaid claims on a timely basis. Claims shall be submitted as soon after the service date as is reasonable unless there is good cause for later submission. In any event, if a clean claim for a service provided within a State Fiscal Year is not submitted to the State on a timely enough basis to be paid within the State Fiscal Year lapse period, the provider must pursue reimbursement through the Court of Claims. Claims submitted later than 12 months from the date of service shall not be reimbursed by the State.
- c) Information Collection Through DARTS.

- 1) The provider shall report, on a monthly basis, demographic and service system data using DASA's Automated Reporting and Tracking System (DARTS). The data collected shall be for the purpose of assessing individual client performance and for planning for future service development. Information to be reported by the provider, for each individual served by a program certified under Section 2090.90 of this Part, shall include but is not limited to the following:
 - A) Name, date of birth, gender, race and national origin, family size, income level, marital status, residential address, employment, education and referral source.
 - B) Special population designation, such as Medicaid eligible clients, women with dependent children, intravenous drug users (IVDUs), DCFS clients, DMHDD clients, and criminal justice clients.
 - C) Drug/alcohol problem areas treated, characterized by drugs of use, frequency of use, and medical diagnosis.
 - D) Closing date information, such as the reason for discharging the client from the program.
 - 2) The Department shall supply providers with DARTS software.
 - 3) Disclosure of information contained within DARTS is governed by the specific provisions of federal regulations under Confidentiality of Alcohol and Drug Abuse Patient Records (42 CFR 2 (1987)).
- d) The reimbursement limits herein shall not be applied in situations where to do so would deny an eligible individual under age 21 from receiving "early and periodic screening, diagnostic and treatment services" (EPSDT) as defined in 43 USC 1396d(r) (i.e., "necessary health care, diagnostic services, treatment, and other measures described in subsection (a) of this Section to correct or ameliorate

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defects and physical and mental illnesses and conditions discovered by the screening services"). Services as set forth in this Part shall be reimbursable to an eligible individual under age 21 for as long as the services are clinically necessary pursuant to review which is consistent with subsection (a).

- e) The reimbursement limits herein shall not be applied where to do so would deny services which have been determined to be clinically necessary to a pregnant woman pursuant to review which is consistent with subsection (a). This exemption from the limits exists during the pregnancy and through the end of the month in which the 60-day period following termination of the pregnancy ends (post partum period), or until the services are no longer clinically necessary, whichever comes first. This exemption shall not apply to a woman who enters treatment services after delivery. This exemption shall become effective upon approval by the Federal Health Care Financing Authority (HCFA).

(Source: Emergency amendment at 20 Ill. Reg. **12485**, effective August 30, 1996, for a maximum of 150 days)

Section 2090.40 Reimbursable Services

EMERGENCY

a) Outpatient Services

1) Definition

The provision of face-to-face diagnostic and individual, group, or family drug-free treatment services to a client who, in the clinical judgment of a qualified alcoholism and other drug treatment professional, is experiencing a problem with alcohol or other drugs (e.g., family, social, financial, employment, educational, and/or legal). Services are delivered in a Medicaid enrolled non-residential subacute setting. However, outpatient services may be provided at a client's place of residence or other off-site location when required because of illness, disability, infirmity, or problems of accessing care at a certified program site, as documented in the client's individualized treatment plan. This service is designed to reduce or eliminate a client's intake of alcohol and/or other drugs.

2) Scope

Outpatient treatment services must be delivered in accordance with a client's individualized treatment plan recommended by a physician. Services shall include but are not limited to, assessment, diagnosis and subsequent individual, group, or family counseling, case coordination, aftercare, and follow-up.

3) Admission Criteria

In the clinical judgement of a qualified treatment professional, clients admitted to an outpatient treatment program must be experiencing problems related to their addictive or abusive use

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of alcohol and other drugs. Clients admitted must not be actively experiencing psychotic manifestations or other severe mental or physical illness which require immediate acute medical or psychiatric care. In addition, clients must not be intoxicated, incapacitated or in withdrawal due to the effects of alcohol or other substances. A client's physical and emotional condition must allow him/her to function in his/her usual non-residential setting.

4) Staffing Qualifications

- A) Outpatient services must be delivered by qualified alcoholism and other drug treatment professionals as defined by this Part.
- B) Each qualified alcoholism and other drug treatment professional providing treatment services must receive a minimum of 4 ~~four~~ hours per month of direct clinical supervision, delivered in no fewer than 2 sessions, by a qualified alcoholism and other drug treatment supervisor.

5) Reimbursement

Outpatient treatment services delivered to clients are Medicaid-reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to the Department and shall meet the requirements of IPA rules pursuant to 89 Ill. Adm. Code 148.340-148.370 for alcoholism and substance abuse treatment programs. The billable outpatient unit of service is a client hour defined as face-to-face counseling with a diagnosed client in an individual, group, or family setting. Reimbursement shall occur by a fee-for-service mechanism, using one client hour as the base unit of service, billable to the nearest quarter-hour. No more than two client hours shall be reimbursed for any client during a 24 hour period, except that the maximum number of hours may be extended by the program to three during a 24 hour period on an individual basis when circumstances exist which limit accessibility to treatment services. These circumstances, such as significant travel distances, must be documented in the client's individualized treatment plan. In instances where the program has extended the client hours beyond 2 ~~two~~ per 24 hour period, no more than 2 ~~two~~ of those client hours may be reimbursed for group treatment. ~~No more than 40 hours may be reimbursed for an eight-bit-adolescent-client-per-benefit-year and no more than 25 hours may be reimbursed for an eligible adult client per benefit year.~~

b) Intensive Outpatient Services

1) Definition

The provision of diagnostic services and individual or group drug-free treatment services on an outpatient basis in a Medicaid enrolled subacute setting. This service is designed to reduce or eliminate a client's intake of alcohol and/or other substances.

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2) Scope

Intensive outpatient treatment services must be delivered in accordance with a client's individualized treatment plan recommended by a physician. Services shall include, but are not limited to assessment, evaluation, diagnosis, and subsequent individualized, group, or family counseling, education, case coordination, aftercare and follow-up. Intensive outpatient treatment is a structured program offered a minimum of two days or evenings per week (not to exceed 4 hours per 24 hour period) with a range of at least 6 hours but not to exceed 20 hours of treatment by a qualified alcoholism and other drug treatment professional per client per week.

3) Admission Criteria

In the clinical judgement of a qualified treatment professional, clients admitted to an intensive outpatient treatment program must be experiencing problems related to their addictive or abusive use of alcohol and/or other drugs which require a level of care exceeding that available in outpatient treatment. Clients experiencing active psychotic manifestations or other severe mental or physical illness which requires immediate acute medical or psychiatric care, should not be admitted to intensive outpatient treatment. In addition, the client shall not be intoxicated, incapacitated or in withdrawal due to the effects of alcohol or other drugs.

4) Staffing Qualifications

At least one qualified alcoholism and other drug treatment professional must deliver at least 50% of direct client treatment services during each treatment session. Additional services may be delivered by specialty staff, such as vocational counselors or activity therapists.

5) Reimbursement

Intensive outpatient treatment services provided to clients are Medicaid reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to the Department, and shall meet the requirements of IPA rules or alcoholism and substance abuse programs (89 Ill. Adm. Code 148.340 through 148.370). Reimbursement shall occur by a fee-for-service mechanism, using one client session of a minimum of three hours as the base unit of service. No more than one client session shall be reimbursed per 24 hour period. Services for clients enrolled in intensive outpatient treatment shall not be reimbursed under the provisions for outpatient services. No more than 75 hours shall be reimbursed for an eligible adult client per benefit year.

c) Adolescent Residential Rehabilitation Services

1) Definition

The provision of diagnostic services and individual or group drug-free treatment services for adolescents on a scheduled-only

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residential basis in a Medicaid enrolled hospital subacute setting, or to adolescents in a psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by the Joint Commission on Accreditation of Health Care Organizations (JCAHO), One Renaissance Boulevard, Oakbrook Terrace, Illinois, 60181. This service is designed to reduce or eliminate an adolescent's intake of alcohol and/or other drugs.

- 2) Scope

Adolescent residential rehabilitation must be delivered in accordance with an adolescent's individualized treatment plan recommended by a physician if in a hospital setting, and under the direction of a physician if in a psychiatric facility. Services must include but are not limited to assessment, evaluation, diagnosis, and subsequent individual, group, or family counseling, education, case coordination, aftercare and follow-up. Adolescent residential rehabilitation is a structured residential treatment program offered seven days per week and includes a minimum of 25 hours of treatment per client per week.

- 3) Admission Criteria

In the clinical judgement of a qualified treatment professional, adolescents admitted to a residential rehabilitation treatment program must be experiencing problems related to their addictive or abusive use of alcohol and/or other drugs which require a level of care exceeding that available in outpatient and intensive outpatient treatment. Adolescents experiencing active psychotic manifestations or other severe mental or physical illness which requires immediate acute medical or psychiatric care, should not be admitted to adolescent residential rehabilitation. In addition, the adolescent shall not be intoxicated, incapacitated or in withdrawal due to the effects of alcohol or other drugs.

- 4) Staffing Qualification

At least one qualified professional and other drug treatment professional must deliver at least 50% of direct client treatment services during each treatment session. Additional services may be delivered by specialty staff, such as vocational counselors or activity therapists.

- 5) Reimbursement

Adolescent residential rehabilitation treatment services provided to clients are Medicaid reimbursable via the prospective rates in effect as of the date of service (89 Ill. Adm. Code 148.370). Medicaid claims are submitted to the Department and shall meet the requirements of IDPA rules for alcoholism and substance abuse treatment programs (89 Ill. Adm. Code 148.340 through 148.370). Reimbursement shall occur on a per diem basis. Services in an adolescent residential rehabilitation program with over 16 beds shall not be reimbursed under the provisions for outpatient or intensive outpatient services. **No-more-than-48-days-shall-be**

reimbursed-in-each-benefit-year-for-an-eligible-client-for-adolescent-residential-rehabilitation-alone-or-in-combination-with-day-treatment-

- d) Day Treatment Services
 - 1) Definition

The provision of diagnostic services and individual or group drug-free treatment services on a scheduled-only residential basis by a program licensed pursuant to 77 Ill. Adm. Code 2058.372-376 and certified hereunder as having 16 beds or less. Treatment services may be provided to adults and adolescents. To be certified as having 16 beds or less, a program must meet the following criteria:

- A) be a free-standing program of 16 or few beds; or
- B) be within a larger facility, as a distinct unit of 16 beds or less which:
 - i) is separately certified and licensed;
 - ii) is physically separate from other certified and licensed programs (for example, separated by floors, wings, or other building sections);
 - iii) provides a level of care significantly different in clinical content from other certified and licensed programs (for example, adult versus adolescent care, women versus men, hearing impaired versus non-impaired);
 - iv) has a separate cost center (budgeting, accounting, etc.);
 - v) has separate staffing; and
 - vi) has separate operating policies and procedures.

- 2) Scope

The scope of services is the same as set forth in subsection (c)(2) excluding room and board, meals, night supervision of dormitory areas and other domiciliary support services.

- 3) Admission Criteria

Admission criteria shall be the same as those set forth in subsection (b)(3) above.

- 4) Reimbursement

Day treatment services shall be reimbursed at an all-inclusive per diem rate as set forth in Section 2090.70(c)(4), available upon certification of the facility and approval of the Illinois Public Aid State Plan provisions for day treatment by the Federal Health Care Financing Authority (HCFA). No more than 30 days shall be reimbursed for an eligible adult client and no more than 48 days shall be reimbursed for an eligible adolescent client per benefit year consecutive-965-days-starting-with-the-first-day-of-a-benefit-service-for-day-treatment-alone-or-in-combination-with-adolescent-residential-rehabilitation.

- e) Ancillary Psychiatric Diagnostic Services
 - 1) Ancillary psychiatric diagnostic services are limited psychiatric

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evaluations to determine whether the client's primary condition is attributable to the effects of alcohol or drugs or to a diagnosed psychiatric or psychological disorder. Such an evaluation shall determine the client's primary condition and recommend appropriate treatment services.

2) Reimbursable psychiatric evaluations are limited to a psychiatric evaluation/examination of a client and the exchange of information with the primary physician and other informants such as nurses, counseling staff, or family members and the preparation of a report including psychiatric history, mental status, and diagnosis. This service shall be performed by a psychiatrist.

3) Reimbursable psychiatric evaluations may be delivered to clients admitted to outpatient, intensive outpatient, adolescent residential rehabilitation, intensive or day treatment where the need for such services is documented in the client's individualized treatment plan. Documentation of all such services shall be maintained in the client record.

4) Ancillary diagnostic services delivered to clients are Medicaid-reimbursable on a per-encounter basis at the prevailing rate as established by IDPA pursuant to 89 Ill. Adm. Code 140.400.

12485

(Source: Emergency amendment at 20 Ill. Reg. _____, effective August 30, 1996, for a maximum of 150 days.)

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1) Heading of the Part: Aid to Families with Dependent Children

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Numbers: Emergency Action:
112.75 New Section

4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13], May 15, 1996, Action Transmittal on Teen Parents from the Department of Health and Human Services and 45 CFR 250.34.

5) Effective Date of Amendments: September 1, 1996

6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable

7) Date Filed in Agency's Principal Office: September 1, 1996

8) Reason for Emergency: These emergency amendments are being filed pursuant to the May 15, 1996, Action Transmittal on Teen Parents from the Department of Health and Human Services. This Action Transmittal urges prompt action by the states and requires states to expand their JOBS employability plans for teen parents into more comprehensive personal responsibility plans. In accordance, the Department plans to implement the Teen Parent Responsibility Plan sooner than the normal rulemaking process would allow. Recognizing that implementation of the Teen Parent Personal Responsibility Plan, as promptly as possible, will serve the public interest, the Department has determined that the use of emergency rulemaking is justified. Any unnecessary delay will threaten the public interest by slowing down efforts to use every tool, remedy and support available to keep young parents on the path toward learning, employment and self-sufficiency. As a result of these emergency amendments, the Department will be able to implement the Teen Parent Personal Responsibility Plan effective September 1, 1996.

9) Complete Description of the Subjects and Issues Involved: On May 4, 1996, President Clinton announced a state and federal effort to strengthen teen parent responsibility. A key part of this effort is the use of a new comprehensive planning tool called the Teen Parent Personal Responsibility Plan. Use of the plan will enhance the Department's existing initiatives aimed at keeping young parents in school, preparing them for employment and self-sufficiency, and preventing them from viewing welfare as a way of life.

On May 15, 1996, an Action Transmittal on Teen Parents was issued to the Department from the Department of Health and Human Services. This Action Transmittal requires the Department to develop personal responsibility plans for all teen parents required to participate in JOBS within six

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months from the date of the Action Transmittal. Expanding on the JOBS employability plan, this Action Transmittal requires the Personal Responsibility Plan (PRP) to be preceded by an assessment, set broad goals and then outline the specific steps the client and the Department will take to help the family achieve employment and self-sufficiency. The Action Transmittal dictates that the PRP should make absolutely clear to teen parents the responsibilities they must meet to receive AFDC and what services the Department agrees to provide to assist them. According to the Action Transmittal, the PRP should delineate family needs, the assigned JOBS activity, and necessary supportive services. The PRP must describe the respective responsibilities of the client and the Department to establish paternity and child support orders, to attend and complete school, and to improve parenting skills.

Based on the initial assessment that evaluates employment, educational, child care and other supportive service needs, as well as skills, prior work experience and employability, the Action Transmittal instructs the Department and the teen parent to develop a personal responsibility plan. It is suggested that this interaction will offer each teen parent the opportunity to understand how requirements affect his or her particular case. Developing PRPs will give teen parents a chance to contribute their own ideas about how they can achieve self-sufficiency. The PRP will also remind the teen parent that establishing paternity and child support for his or her children, finishing school and then finding work quickly is paramount to becoming self-sufficient. In this way, PRPs reinforce state-designed welfare reform and cultural change activities taking place across the country.

The Action Transmittal indicates that requiring teen parents to develop personal responsibility plans will send important messages to young parents. In order for the system of mutual responsibility to work, teen parents must see that requirements are real and enforceable. Teen parents who fail, without good cause, to participate in their assigned JOBS activity - to stay in school, to attend job training programs or to look for work - should be identified quickly and appropriately sanctioned in accordance with 45 CFR 250.34.

These emergency amendments establish that all young parents that are required to participate in Teen Parent Initiative/Young Parent Services (TPI/YPS) must complete a mandatory Personal Responsibility Plan (PRP). The PRP will describe the responsibilities of both the young parent and the Department in the young parent's plan to become self-supporting.

As a result of this rulemaking, a young parent who is required to participate in the TPI/YPS Program must complete a PRP. The PRP will be preceded by an assessment and will delineate family needs, the assigned TPI/YPS activity and necessary supportive services. The PRP will describe the young parent's goals and the Department's role in assisting the young

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parent to achieve the following goals:

1. attending school and completing a high school education;
2. establishing paternity for the young parent's child or children and obtaining child support;
3. participating in program activities designed to improve parenting and life skills; and
4. seeking and obtaining full-time employment.

Both the young parent and the TPI/YPS case manager must sign the form. If a young parent fails to complete the PRP, the individual's needs will be removed from the AFDC grant as follows:

1. in the first instance, until the failure to comply ends;
2. in the second instance, until the failure to comply ends or three months, whichever is longer;
3. in the third or subsequent instance, the longer of six months or until the failure to comply ends.

10) Are there any Proposed Amendments pending to this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.66	New Section	August 16, 1996 (20 Ill. Reg. 10766)
112.71	Amendment	February 23, 1996 (20 Ill. Reg. 3461)
112.98	Amendment	April 26, 1996 (20 Ill. Reg. 5965)
112.110	Amendment	June 28, 1996 (20 Ill. Reg. 8433)
112.151	Amendment	June 28, 1996 (20 Ill. Reg. 8433)
112.330	Amendment	August 23, 1996 (20 Ill. Reg. 11462)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Judy Umunna
Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, IL 62762
(217) 524-0081

The full text of the Emergency Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112

AID TO FAMILIES WITH DEPENDENT CHILDREN

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112.76 JOBS Orientation
112.77 Conciliation and Fair Hearings
112.78 JOBS Components
112.79 JOBS Sanctions
112.80 Good Cause for Failure to Comply with JOBS Participation Requirements

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Responsible Relative Eligibility for JOBS
112.82 JOBS Supportive Services
112.83 Young Parents Program
112.84 Work Experience Evaluation Project
112.85 Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section

112.86 Project Advance
112.87 Project Advance Experimental and Control Groups
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112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section

112.98 Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section

112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.105 Budgeting Unearned Income
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112.107 Initial Receipt of Unearned Income
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112.110 Exempt Unearned Income
112.115 Education Benefits
112.120 Incentive Allowances
112.125 Unearned Income In-Kind
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112.135 Budgeting Earned Income For Contractual Employees
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 112.414 Child Care Overpayments and Recoveries
 112.416 Fees for Service for Transitional Child Care
 112.418 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective

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November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg.

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7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 1789; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13255, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUPPARTS C, D and E recodified to SUPPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12

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Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14173, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11852, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27, 1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency

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amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. **12499**, effective September 1, 1996, for a maximum of 150 days.

SUBPART C: JOB OPPORTUNITIES AND BASIC SKILLS TRAINING (JOBS) PROGRAM

Section 112.75 Teen Parent Personal Responsibility Plan
EMERGENCY

- a) A young parent, who is required to participate in the Teen Parent Initiative/Young Parent Services (TPI/YPS) Program, must complete a Teen Parent Personal Responsibility Plan. The plan is completed as part of the JOBS Program assessment process. For young parents who have already completed an initial assessment, the plan must be completed as part of a reassessment by November 15, 1996.
- b) The Teen Parent Personal Responsibility Plan defines the responsibilities the young parent must meet to receive AFDC cash assistance and what services the Department agrees to provide. The plan outlines family needs, the required TPI/YPS activities and necessary supportive services. The plan must be signed by both the young parent and the TPI/YPS case manager. The plan sets the following goals for the young parent and describes how the Department will help the young parent meet these goals:
 - 1) attend school to complete a high school education;
 - 2) establish paternity for the young parent's child or children and obtain child support;
 - 3) improve the young parent's parenting skills; and
 - 4) seek and obtain full-time employment.
- c) Completion of the Teen Parent Personal Responsibility Plan is a JOBS Program requirement for TPI/YPS participants. Failure to cooperate in completing the plan shall result in a JOBS Program sanction, as described in Section 112.79, if conciliation is not successful.

(Source: Emergency rule added at 20 Ill. Reg. **12499**, effective September 1, 1996, for a maximum of 150 days)

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- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Numbers: Emergency Action:
148.295 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Amendments: September 1, 1996
- 6) If these Emergency Amendments are to expire before the end of the 150-day period, please specify the date on which it is to expire: Not Applicable
- 7) Date Filed in Agency's Principal Office: September 1, 1996
- 8) Reason for Emergency: These emergency amendments are necessary to allow for additional payments for certain rural hospitals under the Critical Hospital Adjustment Payments (CHAP) program. Emergency amendments for Rural Critical Hospital Adjustment Payments (RCHAP) are being filed in conjunction with the implementation of the Department's fiscal year 1997 budget plan that was enacted by the General Assembly and signed by the Governor. The RCHAP changes are a component of the legislative agreement that is designed to allow the Department to fund the Medical Assistance Program within budgeted levels. The Department's appropriation for medical services was set based upon these changes being implemented during the first quarter of fiscal year 1997. Therefore, these amendments must take effect immediately for the timely implementation of the State's budget initiatives for fiscal year 1997, and to ensure that rural hospitals receive additional funding to maintain access to necessary health care services.

9) Complete Description of the Subjects and Issues Involved: These emergency amendments establish a new payment adjustment program for certain rural hospitals. This program will provide rural hospitals with additional resources in order to maintain access to necessary health care services in the rural communities of Illinois. These Rural Critical Hospital Adjustment Payments (RCHAP) are primarily targeted for rural hospitals that provide obstetrical care, thereby ensuring that services, especially obstetrical services, remain available in underserved rural areas.

Changes are also being made to Section 148.295 concerning the established Critical Hospital Adjustment Payment (CHAP) program. Due to a decrease in CHAP utilization, the Department is able to increase the amounts for trauma center adjustments described in subsections (a)(1), (a)(2) and (a)(3), and decrease the admission thresholds described in subsection

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(b)(2). It is anticipated that these changes will not result in any increase over fiscal year 1996 CHAP expenditures.

The new RCHAP program is a component of the budget plan for fiscal year 1997, and the Department anticipates that \$6.8 million will be spent under this program. However, aggregate medical expenditures are expected to be considerably less than the probable spending that would have resulted from more costly services in the absence of RCHAP.

10) Are there any Proposed Amendments pending to this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.82	Amendment	July 12, 1996 (20 Ill. Reg. 8934)
148.140	Amendment	July 12, 1996 (20 Ill. Reg. 8934)
148.160	Amendment	July 12, 1996 (20 Ill. Reg. 8934)
148.285	New Section	July 12, 1996 (20 Ill. Reg. 8934)

11) Statement of Statewide Policy Objectives: These emergency amendments do not affect units of local government.

12) Information and questions regarding these Emergency Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-0081

The full text of the Emergency Amendments begins on the next page:

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NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 148
HOSPITAL SERVICES

- Section
148.10 Hospital Services
148.20 Participation
148.25 Definitions and Applicability
148.30 General Requirements
148.40 Special Requirements
148.50 Covered Hospital Services
148.60 Services Not Covered as Hospital Services
148.70 Limitation On Hospital Services
148.80 Organ Transplants Services Covered Under Medicaid (Repealed)
148.82 Organ Transplant Services
148.90 Heart Transplants (Repealed)
148.100 Liver Transplants (Repealed)
148.110 Bone Marrow Transplants (Repealed)
148.120 Disproportionate Share Hospital (DSH) Adjustments
148.130 Outlier Adjustments for Exceptionally Costly Stays
148.140 Hospital Outpatient and Clinic Services
148.150 Public Law 103-66 Requirements
148.160 Payment Methodology for County-Owned Hospitals in a County with a Population of Over Three Million
148.170 Payment Methodology for Hospitals Organized Under the University of Illinois Hospital Act
148.175 Supplemental Disproportionate Share Payment Methodology for Hospitals Organized Under the Town Hospital Act
148.180 Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
148.190 Copayments
148.200 Alternate Reimbursement Systems
148.210 Filing Cost Reports
148.220 Pre September 1, 1991 Admissions
148.230 Admissions Occurring on or after September 1, 1991
148.240 Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
148.250 Determination of Alternate Payment Rates to Certain Exempt Hospitals
148.260 Calculation and Definitions of Inpatient Per Diem Rates
148.270 Determination of Alternate Cost Per Diem Rates for All Hospitals; Payment Rates for Certain Exempt Hospital Units; and Payment Rates for Certain Other Hospitals
148.280 Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
148.290 Adjustments and Reductions to Total Payments

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148.295 Critical Hospital Adjustment Payment (CHAP)

- EMERGENCY
148.300 Payment
148.310 Review Procedure
148.320 Alternatives
148.330 Exemptions
148.340 Subacute Alcoholism and Substance Abuse Treatment Services
148.350 Definitions
148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services
148.368 Volume Adjustment (Repealed)
148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services
148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services
148.390 Hearings
148.400 Special Hospital Reporting Requirements

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act [20 ILCS 2215/Art. III] and implementing and authorized by Articles III, IV, V, VI, and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Arts. III, IV, V, VI and 12-13].

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992; amended at 17 Ill. Reg. 131, effective December 21, 1992; amended at 17 Ill. Reg. 3296, effective March 1, 1993; amended at 17 Ill. Reg. 6649, effective April 21, 1993; amended at 17 Ill. Reg. 14643, effective August 30, 1993; emergency amendment at 17 Ill. Reg. 17323, effective October 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 3450, effective February 28, 1994; emergency amendment at 18 Ill. Reg. 12853, effective August 2, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 14117, effective September 1, 1994; amended at 18 Ill. Reg.

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17648, effective November 29, 1994; amended at 19 Ill. Reg. 1067, effective January 20, 1995; emergency amendment at 19 Ill. Reg. 3510, effective March 1, 1995, for a maximum of 150 days; emergency expired July 29, 1995; emergency amendment at 19 Ill. Reg. 6709, effective May 12, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 10060, effective June 29, 1995; emergency amendment at 19 Ill. Reg. 10752, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13009, effective September 5, 1995; amended at 19 Ill. Reg. 16630, effective November 28, 1995; amended at 20 Ill. Reg. 872, effective December 29, 1995; amended at 20 Ill. Reg. 7912, effective May 31, 1996; emergency amendment at 20 Ill. Reg. 9281, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 20 Ill. Reg. 12510, effective September 1, 1996, for a maximum of 150 days.

Section 148.295 Critical Hospital Adjustment Payments (CHAP)**EMERGENCY**

Critical Hospital Adjustment Payments (CHAP) shall be made to all eligible hospitals excluding county-owned hospitals, as described in Section 148.25 (b)(1)(A), and hospitals organized under the University of Illinois Hospital Act, as described in Section 148.25 (b)(1)(B), for inpatient admissions occurring on or after July 1, 1995, in accordance with this Section.

a) Trauma Center Adjustments (TCA)

The Department shall make a trauma center adjustment (TCA) to Illinois hospitals recognized, as of the last day of June preceding the CHAP rate period, as a Level I or Level II trauma center by the Illinois Department of Public Health, in accordance with the provisions of subsections (a)(1) through (a)(3) below.

1) Level I Trauma Center Adjustment (TCA).

A) Criteria. Illinois hospitals that, on the last day of June preceding the CHAP rate period, are recognized as a Level I trauma center by the Illinois Department of Public Health shall receive the Level I trauma center adjustment.

B) Adjustment. Illinois hospitals meeting the criteria specified in subsection (a)(1)(A) above shall receive an adjustment as follows:

- i) Hospitals with Medicaid trauma admissions equal to or greater than the mean Medicaid trauma admissions, for all hospitals qualifying under (a)(1)(A) above, shall receive an adjustment of \$19,700.00 \$19,700-00 per Medicaid trauma admission in the CHAP base period.
- ii) Hospitals with Medicaid trauma admissions less than the mean Medicaid trauma admissions, for all hospitals qualifying under (a)(1)(A) above, shall receive an adjustment of \$12,500.00 \$12,500-00 per Medicaid trauma admission in the CHAP base period.

2) Level II Rural Trauma Center Adjustment (TCA). Illinois rural hospitals, as defined in Section 148.25(g)(3), that, on the last day of June preceding the CHAP rate period, are recognized as a

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Level II trauma center by the Illinois Department of Public Health shall receive an adjustment of \$9,900.00 \$9,900-00 per Medicaid trauma admission in the CHAP base period.

3) Level II Urban Trauma Center Adjustment (TCA). Illinois urban hospitals, as described in Section 148.25(g)(4), that, on the last day of June preceding the CHAP rate period, are recognized as Level II trauma centers by the Illinois Department of Public Health shall receive an adjustment of \$9,900.00 \$9,900-00 per Medicaid trauma admission in the CHAP base period, provided that such hospital meets the criteria described below:

A) The hospital is located in a county with no Level I trauma center; and

B) The hospital is located in a Health Professional Shortage Area (HPSA) (42 CFR 5), as of the last day of June preceding the CHAP rate period, and has a Medicaid trauma admission percentage at or above the mean of the individual facility values determined in subsection (a)(3)(A) above; or the hospital is not located in a HPSA (42 CFR 5) and has a Medicaid trauma admission percentage that is at least the mean plus one standard deviation of the individual facility values determined in subsection (a)(3)(A) above.

b) Rehabilitation Hospital Adjustment (RHA)

Illinois hospitals that, on the last day of June preceding the CHAP rate period, qualify as rehabilitation hospitals, as defined in 89 Ill. Adm. Code 149.50(c)(2) and are accredited by the Commission on Accreditation of Rehabilitation Facilities (CARF), shall receive a rehabilitation hospital adjustment in the CHAP rate period that consists of the following three components:

1) Treatment Component. All hospitals defined in subsection (b) above shall receive \$3,800.00 per Medicaid Level I rehabilitation admission in the CHAP base period.

2) Facility Component. All hospitals defined in subsection (b) above shall receive a facility component that shall be based upon the number of Medicaid Level I rehabilitation admissions in the CHAP base period as follows:

A) Hospitals with fewer than 90 Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$100,000.00 in the CHAP rate period.

B) Hospitals with 90 or more Medicaid Level I rehabilitation admissions in the CHAP base period shall receive a facility component of \$400,000.00 in the CHAP rate period.

3) Health Professional Shortage Area Adjustment Component. Hospitals defined in subsection (b) above, that are located in a Health Professional Shortage Area (HPSA) (42 CFR 5) as of the last day of June preceding the CHAP rate period, shall receive \$300.00 per Medicaid Level I rehabilitation inpatient day in the

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CHAP base period.

c) Direct Hospital Adjustment (DHA) Criteria

To qualify for the DHA under this subsection (c), hospitals must meet one of the following criteria.

- 1) Be an Illinois hospital located outside of Health Service Area (HSA) six that meets one of the following criteria:
 - A) Has a Medicaid inpatient utilization rate on the last day of June preceding the CHAP rate period, as defined in Section 148.120(k)(5), greater than 60 percent and has an average length of stay of less than ten days.
 - B) Is a major teaching hospital with 35 or more graduate medical education programs accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.

- 2) Be a hospital located in HSA six, excluding psychiatric and rehabilitation hospitals as defined in 89 Ill. Adm. Code 149.50(c)(1) and (c)(2), that meets one of the following criteria:

A) Is a hospital whose sum of the critical weighting factors is greater than one standard deviation above the mean of the summed critical weighting factors for all hospitals located within the same planning area. The critical weighting factor is determined as follows:

- i) Hospitals that, on the last day of June preceding the CHAP rate period, are designated as a Level III, II, or I Perinatal Center by the Illinois Department of Public Health shall receive a critical weighting factor of 10, 7.5, or 5 respectively depending on the hospital's perinatal level designation.
- ii) Hospitals that, on the last day of June preceding the CHAP rate period, are recognized as a Level I or II Trauma Center by the Illinois Department of Public Health shall receive a critical weighting factor of ten or five respectively depending on the hospital's trauma level designation.
- iii) Hospitals that, on the last day of June preceding the CHAP rate period, are eligible for disproportionate share payments as described in Section 148.120(g)(1) or (g)(2) shall receive a critical weighting factor of five.
- iv) Hospitals that have an occupancy ratio, as determined by the Illinois Department of Public Health (IDPH), based upon the most current IDPH published report entitled "Bed Count, Average Length of Stay, Average Daily Census and Percent Occupancy for Non-Federal Hospitals in Illinois", which is available to the

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Illinois Department of Public Aid on the last day of June preceding the CHAP rate period, which is equal to or greater than the mean occupancy ratio for all hospitals in the planning area shall receive a critical weighting factor of five.

- v) Hospitals which have Medicaid obstetrical care admissions in the CHAP base period that are equal to or greater than one-half a standard deviation above the mean Medicaid obstetrical care admissions in their planning area shall receive a critical weighting factor of ten. If the hospital's Medicaid obstetrical care admissions are greater than the mean but less than one-half a standard deviation above the mean Medicaid obstetrical care admissions in their planning area, the hospital shall receive a critical weighting factor of five.
- vi) Hospitals that on the last day of June preceding the CHAP rate period have a Medicaid inpatient utilization rate as defined in Section 148.120(k)(5) which is equal to or greater than one-half a standard deviation above the mean Medicaid inpatient utilization rate in their planning area, shall receive a critical weighting factor of ten. If the hospital's Medicaid inpatient utilization rate is greater than the mean but less than one-half a standard deviation above the mean Medicaid inpatient utilization rate in their planning area, the hospital shall receive a critical weighting factor of five.
- vii) Hospitals which have Medicaid general care admissions in the CHAP base period that are equal to or greater than one-half a standard deviation above the mean Medicaid general care admissions in their planning area shall receive a critical weighting factor of ten. If the hospital's Medicaid general care admissions are greater than the mean but less than one-half a standard deviation above the mean Medicaid general care admissions in their planning area, the hospital shall receive a critical weighting factor of five.
- viii) Hospitals which have a cost per day at 80 percent occupancy that is less than or equal to one-half a standard deviation below the mean cost per day at 80 percent occupancy in their planning area shall receive a critical weighting factor of ten. If the hospital's cost per day at 80 percent occupancy is greater than one-half a standard deviation below the mean cost per day at 80 percent occupancy but less than the mean cost per day at 80 percent occupancy in their planning area, the hospital shall receive a critical weighting

DEPARTMENT OF PUBLIC AID

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factor of five.

B) Is a major teaching hospital with 40 or more graduate medical education programs accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.

C) Is a hospital with 3,400 or more Medicaid general care admissions in the CHAP base period.

3) Be a hospital qualifying under subsection (c)(2) above that has Medicaid obstetrical care admissions in the CHAP base period which are equal to or greater than 2,400.

4) Be a hospital qualifying under subsection (c)(2) above that on the last day of June preceding the CHAP rate period, is designated as a Level III or II Perinatal Center by the Illinois Department of Public Health, and that has a Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), which is greater than one-half a standard deviation above the statewide mean Medicaid inpatient utilization rate, as defined in Section 148.120(k)(3), and that has at least one obstetrical graduate medical education program accredited by the American Accreditation Council for Graduate Medical Education, the American Osteopathic Association Division of Post-doctoral Training, or the American Dental Association Joint Commission on Dental Accreditation.

5) Be a children's hospital, which means a hospital devoted exclusively to caring for children. A hospital which includes a facility devoted exclusively to caring for children that is separately licensed as a hospital by a municipality shall be considered a children's hospital to the degree that the hospital's Medicaid care is provided to children.

d) DHA Adjustment

Calculation of the DHA is as follows:

1) Hospitals qualifying under subsection (c)(1)(A) above shall receive an DHA of \$60.00 per Medicaid inpatient day in the CHAP base period.

2) Hospitals qualifying under subsection (c)(1)(B), (c)(2) or (c)(5) above shall receive an DHA of \$30.00 per Medicaid inpatient day in the CHAP base period.

3) Hospitals qualifying under subsection (c)(5) above which have a Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, that is greater than 85 percent shall receive an additional \$20.00 per Medicaid inpatient day in the CHAP base period.

4) Hospitals qualifying under subsection (c)(2)(B) above shall receive an additional \$10.00 per Medicaid inpatient day in the CHAP base period.

DEPARTMENT OF PUBLIC AID

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5) Hospitals qualifying under subsection (c)(3) or (c)(4) above shall receive an additional \$120.00 per Medicaid inpatient day in the CHAP base period if their Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, is equal to or greater than 50 percent; or \$65.00 per Medicaid inpatient day in the CHAP base period if their Medicaid inpatient utilization rate, as defined in Section 148.120(k)(5), on the last day of June preceding the CHAP rate period, is less than 50 percent.

e) Rural Critical Hospital Adjustment Payments (RCHAP)

Rural hospitals, as described in 89 Ill. Adm. Code 140.80(i)(1), for certain inpatient admissions occurring on or after September 1, 1996. The Department shall make a RCHAP adjustment payment to hospitals qualifying under this subsection at a rate that is the greater of:

1) the product of \$745 multiplied by the number of RCHAP Obstetrical Care Admissions in the CHAP base period, or

2) the product of \$75 multiplied by the number of RCHAP General Care Admissions in the CHAP base period.

f) Each eligible hospital's critical hospital adjustment payment for the CHAP rate period shall equal the sum of the amounts described in subsections (a), (b), and (d) above. The critical hospital adjustment payments shall be paid to eligible hospitals on a quarterly basis.

g) Critical Hospital Adjustment Limitations

Hospitals that qualify for trauma center adjustments under subsection (a) shall not be eligible for the total trauma center adjustment if, during the CHAP rate period, the hospital is no longer recognized by the Illinois Department of Public Health as a Level I trauma center as required for the adjustment described in subsection (a)(1) above, or a Level II trauma center as required for the adjustment described in subsection (a)(2) or (a)(3) above. In these instances, the adjustments calculated shall be pro-rated, as applicable, based upon the date that such recognition ceased.

h) Critical Hospital Adjustment Payment Definitions

The definitions of terms used with reference to calculation of the CHAP required by this Section are as follows:

1) "CHAP base period" means State Fiscal year 1994 for CHAP payments calculated for the July 1, 1995, CHAP rate period; State Fiscal Year 1995 for CHAP payments calculated for the July 1, 1996, CHAP rate period; etc.

2) "CHAP rate period" means, beginning July 1, 1995, the 12 month period beginning on July 1 of the year and ending June 30 of the following year.

3) "Cost Per Day at 80 Percent Occupancy" means the estimated inpatient cost per day had the hospital been operating at an 80 percent occupancy rate.

4) "Medicaid General Care Admission" means hospital inpatient admissions which were subsequently adjudicated by the Department

DEPARTMENT OF PUBLIC AID

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through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding admissions for normal newborns, Medicare/Medicaid crossover admissions, psychiatric and rehabilitation admissions.

- 5) "Medicaid inpatient day" means hospital inpatient days which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of the Social Security Act, excluding days for normal newborns and Medicare/Medicaid crossover days.

- 6) "Medicaid Level I rehabilitation admissions" means those claims billed as Level I admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an occurrence code of 63 when applicable and an ICD-9-CM principal diagnosis code of: 054.3, 310.1 through 310.2, 320.1, 336.0 through 336.9, 344.0 through 344.2, 344.8 through 344.9, 348.1, 801.30, 803.10, 803.84, 806.0 through 806.19, 806.20 through 806.24, 806.26, 806.29 through 806.34, 806.36, 806.4 through 806.5, 851.06, 851.80, 853.05, 854.0 through 854.04, 854.06, 854.1 through 854.14, 854.16, 854.19, 905.0, 907.0, 907.2, 952.0 through 952.09, 952.10 through 952.16, 952.2, and V57.0 through V57.89, excluding admissions for normal newborns.

- 7) "Medicaid Level I rehabilitation inpatient day" means the days associated with the claims defined in subsection (e)(6) above.

- 8) "Medicaid obstetrical care admission" means hospital inpatient admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, for recipients of medical assistance under Title XIX of Social Security Act, with an ICD-9-CM principal diagnosis code of 640.0 through 648.9 with a 5th digit of 1 or 2; 650; 651.0 through 659.9 with a 5th digit of 1, 2, 3, or 4; 660.0 through 669.9 with a 5th digit of 1, 2, 3, or 4; 670.0 through 676.9 with a 5th digit of 1 or 2; or V27 through V27.9; or V30 through V39.9; or any ICD-9-CM principal diagnosis code that is accompanied with a surgery procedure code between 72 and 75.99; and specifically excludes Medicare/Medicaid crossover claims.

- 9) "Medicaid trauma admission" means those claims billed as admissions which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with an ICD-9-CM principal diagnosis code of: 800.0 through 800.99, 801.0 through 801.99, 802.0 through 802.99, 803.0 through 803.99, 804.0 through 804.99, 805.0 through 805.98, 806.0 through 806.99,

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807.0 through 807.69, 808.0 through 808.9, 809.0 through 809.1, 828.0 through 828.1, 839.0 through 839.3, 839.7 through 839.9, 850.0 through 850.9, 851.0 through 851.99, 852.0 through 852.59, 853.0 through 853.19, 854.0 through 854.19, 860.0 through 860.5, 861.0 through 861.32, 862.8, 863.0 through 863.99, 864.0 through 864.19, 865.0 through 865.19, 866.0 through 866.13, 867.0 through 867.9, 868.0 through 868.19, 869.0 through 869.1, 887.0 through 887.7, 896.0 through 896.3, 897.0 through 897.7, 900.0 through 900.9, 902.0 through 904.9, 925, 926.8, 929.0 through 929.99, 958.4, 958.5, 990 through 994.99. For those hospitals recognized as Level I trauma centers solely for pediatric trauma cases, Medicaid trauma admissions are only calculated for the claims billed as admissions, excluding admissions for normal newborns, which were subsequently adjudicated by the Department through the last day of June preceding the CHAP rate period and contained within the Department's paid claims data base, with ICD-9-CM diagnoses within the above ranges for children under the age of 18 excluding admissions for normal newborns.

- 10) "Medicaid trauma admission percentage" means a fraction, the numerator of which is the hospital's Medicaid trauma admissions and the denominator of which is the total Medicaid trauma admissions in a given 12 month period for all Level II urban trauma centers.

- 11) The CHAP base period means State Fiscal Year 1995 for RCHAP's calculated for the July 1, 1996, CHAP rate period; State Fiscal Year 1996 for RCHAP's calculated for July 1, 1997, CHAP rate period; etc.

- 12) RCHAP General Care Admission means Medicaid General Care Admissions, as defined in subsection (h)(4) above, less RCHAP Obstetrical Care Admissions, occurring in the CHAP base period.

- 13) RCHAP Obstetrical Care Admissions means Medicaid General Care Admissions, as defined in subsection (h)(4) above, with a Diagnosis Related Group (DRG) of 370 through 375, occurring in the CHAP base period.

- 14) Beginning September 1, 1996, the Department will make RCHAP's to qualifying hospitals in four equal installments, with the last payment to be made June 30, 1997.

12510

(Source: Emergency amendment at 20 Ill. Reg. _____, effective September 1, 1996, for a maximum of 150 days)

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Pari-Mutuels
- 2) Code Citation: 11 Ill. Adm. Code 300
- 3) Section Numbers: 300.40
Proposed Action: Amendment
- 4) Statutory Authority: 230 ILCS 5/9(b)
- 5) Effective Date of Amendment: September 1, 1996
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which they expire: This emergency amendment will expire upon adoption of the amendment after normal rulemaking process.
- 7) Date Filed in Agency's Principal Office: August 29, 1996

8) Reason for Emergency: In recent weeks, two large Illinois carryover pools were won through out-of-state locations that offered minimum wagers less than those established by the Illinois host. While Illinois licensees are required to maintain the same minimum wagers as those established by the Illinois host, out-of-state facilities are not required to maintain those minimums. When an out-of-state location offers a minimum purchase price below the price established and required in Illinois and the out-of-state patron shares the pool with Illinois patrons, the out-of-state patron receives a greater percentage of the carryover pool based on money wagered. This practice is unfair to Illinois patrons who continuously wager into the carryover pools. The Illinois Horse Racing Act requires the Illinois Racing Board to promulgate rules "to provide for the prevention of practices detrimental to the public interest and to promote the best interests of horse racing" [230 ILCS 5/9(b)]. Allowing out-of-state facilities to offer purchase prices of wagers lower than those established by the Illinois outlets is detrimental to public interest and does not promote the best interests of horse racing in Illinois.

9) A Complete Description of the Subjects and Issues Involved: This rulemaking establishes a provision that requires all organization licensees to require and ensure that the minimum purchase prices for pari-mutuel wagers are maintained by out-of-state locations. This rulemaking provides for civil penalties against organization licensees that do not prohibit out-of-state facilities from offering lower minimum prices.

10) Are there any proposed amendments to this Part Pending? No

11) Statement of Statewide Policy Objectives: No local governmental units

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY AMENDMENT

- will be required to increase expenditures.
- 12) Information and questions regarding these amendments shall be directed to:

Gina DiCaro
Illinois Racing Board
Legal Department
100 West Randolph, Ste. 11-100
Chicago, IL 60601
(312) 814-5070

The full text of the emergency amendments begins on the next page:

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY AMENDMENT

TITLE 11: LOBOH, HORSE RACING, AND LOTTERY

SUBTITLE B: HORSE RACING

CHAPTER 1: ILLINOIS RACING BOARD

SUBCHAPTER a: GENERAL RULES

PART 300

PARI-MUTUELS

Section

- 300.10 General
- 300.20 Records
- 300.30 Pari-Mutuel Tickets
- 300.40 Pari-Mutuel Wagers
- EMERGENCY
- 300.50 Pari-Mutuel Races
- 300.60 Advanced Wagering
- 300.70 Scratches or Non-Starter
- 300.80 Pools Dependent Upon Betting Interests
- 300.90 Minimum Payoff
- 300.100 Pari-Mutuel Complaints

AUTHORITY: Implementing and authorized by Section 9(b) of the Illinois Horse Racing Act of 1975 [230 ILCS 5/9(b)].

SOURCE: Adopted at 19 Ill. Reg. 13935, effective October 1, 1995; emergency amendment at 20 Ill. Reg. 12522, effective September 1, 1996, for a maximum of 150 days.

Section 300.40 Pari-Mutuel Wagers

EMERGENCY

- a) The minimum pari-mutuel wager for win, place or show shall be \$2, unless otherwise approved by the Board. The minimum pari-mutuel wager for all other pools shall not exceed \$3, nor be less than \$1, unless otherwise approved by the Board.
- b) All organization, intertrack and intertrack wagering location licensees shall offer the same types of pari-mutuel pools and minimum pari-mutuel prices at both manned and unmanned terminals, unless specifically restricted by Board rule (e.g., tickets may not be exchanged at unmanned ticket issuing machines).
- c) All intertrack wagering facilities shall establish and maintain minimum purchase prices of pari-mutuel wagers that are the same as those offered by the organization licensee providing the simulcast.
- d) All organization licensees shall require out-of-state wagering facilities to maintain the same minimum purchase prices of pari-mutuel wagers it has established for Illinois licensees. If it is determined that an out-of-state wagering facility has not maintained the same minimum purchase price of pari-mutuel wagers, the organization

ILLINOIS RACING BOARD

NOTICE OF EMERGENCY AMENDMENT

licensee shall be subject to civil penalties pursuant to Section 5/9(1) of the Act [230 ILCS 5/9(1)]. This Section shall apply only to organization licensees conducting commingled or combined wagering pools with out-of-state wagering facilities.

el) All intertrack wagering facilities shall offer the same pari-mutuel pools as offered by the organization providing the simulcast.

(Source: Emergency amendment at 20 Ill. Reg. 12522, effective September 1, 1996, for a maximum of 150 days)

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF CODIFICATION CHANGES

- 1) Heading of Title: Governmental Organization
- 2) Code Citation: Title 2
- 3) Date of Index Department Review: September 3, 1996
- 4) Headings of Parts Affected:

The Commissioner of Banks and Trust Companies and the Office of the Commissioner of Savings and Residential Finance were merged to form the Office of Banks and Real Estate by Executive Order #1 (1996). That merger was implemented and codified by Public Act 89-508. The rules of the two predecessor agencies have been made the rules of the new agency.

In this codification change, Part and section numbers are not changing. Only changes relating to Chapter headings, some Subchapter headings, some Part headings, references to the agency, and other non-substantive changes reflecting the merger of the two agencies are being made at this time.

Part Numbers: Headings:

2300 Public Information, Rulemaking and Organization
 2301 Freedom of Information Act

DEPARTMENT OF INSURANCE

REQUEST FOR EXPEDITED CORRECTION

- 1) Heading of the Part: Preferred Provider Program Administrators
- 2) Code Citation: 50 Ill. Adm. Code 2051
- 3) Section Numbers:
Subchapter heading
- 4) Date Proposal published in Illinois Register: March 8, 1996, 20 Ill. Reg. 4025
- 5) Date Adoption published in Illinois Register: 20 Ill. Reg. 9960, effective July 26, 1996
- 6) Summary and Purpose of Expedited Correction: The Department repealed Part 6501 "Preferred Provider Program Administrators", which existed in subchapter hhh "Health Care Reimbursement", and adopted substantially identical rules at Part 2051 under subchapter z. The heading of subchapter z is "Accident and Health Insurance", but the adopted rulemaking mistakenly labeled the subchapter as "Health Care Reimbursement".

This Expedited Correction will change the subchapter heading to read: "SUBCHAPTER z: ACCIDENT AND HEALTH INSURANCE".
- 7) Information and questions regarding this request shall be directed to:

Name: Denise L. Hamilton
 Address: Rules Unit Supervisor
 Department of Insurance
 320 West Washington
 Springfield, Illinois 62767
 Telephone: (217) 785-8560

DEPARTMENT OF INSURANCE

REQUEST FOR EXPEDITED CORRECTION

TITLE 50: INSURANCE

CHAPTER I: DEPARTMENT OF INSURANCE

SUBCHAPTER 2: ACCIDENT AND HEALTH INSURANCE HEALTH-CARE-REIMBURSEMENT

PART 2051

PREFERRED PROVIDER PROGRAM ADMINISTRATORS

Section	Authority
2051.10	Purpose
2051.20	Definitions
2051.30	Administrators Not to Assume Underwriting Risk
2051.40	Registration
2051.50	Annual Registration Fee
2051.60	Fiduciary and Bonding Requirements
2051.70	Maintenance of Records
2051.80	Examination
2051.90	Severability
2051.100	

AUTHORITY: Implementing and authorized by Article XX 1/2 and further authorized Section 401 of the Illinois Insurance Code [215 ILCS 5/370f et seq. and 401].

SOURCE: Adopted at 20 Ill. Reg. 12557⁶⁰, effective July 26, 1996; expedited correction at 20 Ill. Reg. 12557, effective July 26, 1996.

Section 2051.10 Authority

This Part implements and is authorized by Article XX 1/2 and is authorized by Section 401 of the Illinois Insurance Code [215 ILCS 5/370f et seq. and 401].

OFFICE OF BANKS AND REAL ESTATE

NOTICE OF PUBLIC INFORMATION

NOTICE OF PUBLIC MEETING

Notice is hereby given that the State Banking Board of Illinois and the Board of Trustees of the Illinois Bank Examiners' Education Foundation will hold their regularly scheduled meetings on Thursday, September 26, 1996, at the Office of Banks and Real Estate, 310 South Michigan Avenue, Suite 2130, Chicago, Illinois. The meetings of the Board of Trustees of the Illinois Bank Examiners' Education Foundation will begin at 9:30 a.m. The meeting of the State Banking Board of Illinois will begin at 10:30 a.m. The meeting will be open to the public in accordance with the Open Meetings Act, 5 ILCS 120/1-120/6 (1994).

These meetings will be accessible to handicapped individuals in compliance with Executive Order #5 and pertinent state and federal laws upon notification of anticipated attendance. Handicapped persons planning to attend and needing special accommodations should contact, either by telephone or by letter, Debra Rath, 500 East Monroe, Springfield, Illinois 62701 or (217) 782-3000 to inform of their anticipated attendance.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLYNOTICE OF PUBLICATION ERROR

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Reading of the Part: Licensing Standards for Day Care CentersCode Citation: 89 Ill. Adm. Code 407Section Numbers: 407.31Date Emergency and Proposed Amendment Published in the Illinois Register: August 16, 1996 - Emergency at 20 Ill. Reg. 11366 and Proposed at 20 Ill. Reg. 10753.

The rulemaking cited above provides an exception process from the Department's requirement that child care be provided at ground level. When the Department submitted the rulemaking for publication in the *Illinois Register*, the Joint Committee mistakenly published the emergency and proposed rulemakings as identical. The proposed rulemaking at Section 407.31(a)(4) should have eliminated the grandfathering provision for day care centers approved before June 15, 1984. The correct version of Section 407.31(a)(4) as proposed by the Department is printed below. The Joint Committee regrets any confusion this printing error may have caused.

4) ~~In-facilities-established-after-the-effective-date-of-this-ruler~~
~~infants~~ Infants and toddlers shall be housed and cared for at ground level unless otherwise approved through the exception process below. Travel distance between any point in a room used for infants and toddlers and an exit discharging directly outside shall not exceed 150 feet. Only a fire inspector from the Office of the State Fire Marshal or the Chicago Fire Department's Fire Prevention Bureau may grant an exception to the requirements that infants and toddlers be housed and cared for at ground level. This exception must be renewed upon each license renewal and must contain at least the following information:

- A) the precise location of the day care center (including street address, floor, and area approved for care of infants and toddlers);
- B) the maximum number of infants and toddlers approved for care under the exception;
- C) specific provisions pertaining to the exception, if any, such as number of staff, sprinklers, ramps, special equipment; and
- D) when the facility is due for reinspection by the Office of the State Fire Marshal or the Chicago Fire Department's Fire Prevention Inspector.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of August 27, 1996 through September 2, 1996 and have been scheduled for review by the Committee at its September 17, 1996 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start of First Notice</u>	<u>JCAR Meeting</u>
10/10/96	Illinois Racing Board, Licensing (11 Ill Adm Code 502)	6/28/96 20 Ill Reg 8447	9/17/96
10/10/96	Illinois Racing Board, Officials of Meeting (11 Ill Adm Code 1403)	6/28/96 20 Ill Reg 8453	9/17/96
10/11/96	Department of Rehabilitation Services, Public Use of DORS Facilities (89 Ill Adm Code 546)	6/21/96 20 Ill Reg 8262	9/17/96
10/11/96	Department of Alcoholism and Substance Abuse, Alcoholism and Substance Abuse Treatment and Intervention Licenses (77 Ill Adm Code 2060)	5/24/96 20 Ill Reg 7086	9/17/96
10/11/96	Department of Alcoholism and Substance Abuse, Beverage Alcohol Sellers and Servers Education and Training (BASSET) Programs (77 Ill Adm Code 2057)	5/24/96 20 Ill Reg 7154	9/17/96
10/11/96	Department of Alcoholism and Substance Abuse, Repeal of Driving Under the Influence Programs (77 Ill Adm Code 2056)	5/24/96 20 Ill Reg 7160	9/17/96
10/11/96	Department of Alcoholism and Substance Abuse, Repeal of Licensure of Alcoholism and Substance Abuse Treatment, Intervention and Research Programs	5/24/96 20 Ill Reg 7197	9/17/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

(77 Ill Adm Code 2058)			
10/12/96	Department of Revenue, Special County Service Occupation Tax for Public Safety (86 Ill Adm Code 8290 680)	6/21/96 20 Ill Reg 8290	9/17/96
10/12/96	Department of Revenue, Special County Retailers' Occupation Tax for Public Safety (86 Ill Adm Code 670)	6/21/96 20 Ill Reg 8282	9/17/96
10/12/96	Department of Public Aid, Practice in Administrative Hearings (89 Ill Adm Code 104)		9/17/96
	7/5/96 20 Ill Reg 8620		
10/12/96	Department of Agriculture, Diseased Animals (8 Ill Adm Code 85)	7/12/96 20 Ill Reg 8759	9/17/96
10/12/96	State Police Merit Board, Procedures of the Department of State Police Merit Board (80 Ill Adm Code 150)	7/12/96 20 Ill Reg 8990	9/17/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-503
CHICAGO, ILLINOIS
10:00 A.M.
SEPTEMBER 17, 1996

NOTICES: Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGS

Agriculture

1. Diseased Animals (8 Ill Adm Code 85)
-First Notice Published: 20 Ill. Reg. 8759 - 7/12/96
-Expired Second Notice Period: 10/12/96

Alcoholism and Substance Abuse

2. Repeal of Driving Under the Influence Programs (77 Ill Adm Code 2056)
-First Notice Published: 20 Ill Reg 7160 - 5/24/96
-Expiration of Second Notice Period: 10/11/96
3. Beverage Alcohol Sellers and Servers Education and Training (BASSET) Programs (77 Ill Adm Code 2057)
-First Notice Published: 20 Ill Reg 7154 - 5/24/96
-Expiration of Second Notice Period: 10/11/96
4. Repeal of Licensure of Alcoholism and Substance Abuse Treatment, Intervention and Research Programs (77 Ill Adm Code 2058)
-First Notice Published: 20 Ill Reg 7197 - 5/24/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES

-Expiration of Second Notice Period: 10/11/96

5. Alcoholism and Substance Abuse Treatment and Intervention Licenses (77 Ill Adm Code 2060)
 -First Notice Published: 20 Ill Reg 7086 - 5/24/96
 -Expiration of Second Notice Period: 10/11/96

Commerce Commission

6. Telephone Assistance Programs (83 Ill Adm Code 757)
 -First Notice Published: 20 Ill Reg 7708 - 6/14/96
 -Expiration of Second Notice Period: 9/21/96

Fire Marshal

7. Fire Prevention and Safety (41 Ill Adm Code 100)
 -First Notice Published: 19 Ill Reg 13176 - 9/22/95
 -Expiration of Second Notice Period: 10/9/96

Mental Health and Developmental Disabilities

8. Administration (59 Ill Adm Code 101)
 -First Notice Published: 20 Ill Reg 7276 - 5/24/96
 -Expiration of Second Notice Period: 10/6/96

Nuclear Safety

9. Access to Facilities for Treatment, Storage, or Disposal of Low Level Radioactive Waste (32 Ill Adm Code 609)
 -First Notice Published: 19 Ill Reg 14930 - 10/27/95
 -Expiration of Second Notice Period: 9/25/96

Public Aid

10. Practice in Administrative Hearings (89 Ill Adm Code 104)
 -First Notice Published: 20 Ill Reg 8620 - 7/5/96
 -Expiration of Second Notice Period: 10/12/96

11. Aid to Families with Dependent Children (89 Ill Adm Code 112)
 -First Notice Published: 20 Ill Reg 5965 - 4/26/96
 -Expiration of Second Notice Period: 9/21/96

Racing Board

12. Officials of Meeting (11 Ill Adm Code 1403)
 -First Notice Published: 20 Ill Reg 8453 - 6/28/96
 -Expiration of Second Notice Period: 10/10/96

13. Licensing (11 Ill Adm Code 502)
 -First Notice Published: 20 Ill Reg 8447 - 6/28/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES

-Expiration of Second Notice Period: 10/10/96

Rehabilitation Services

14. Public Use of DORS Facilities (89 Ill Adm Code 546)
 -First Notice Published: 20 Ill Reg 8262 - 6/21/96
 -Expiration of Second Notice Period: 10/11/96

Revenue

15. Income Tax (86 Ill Adm Code 100)
 -First Notice Published: 20 Ill Reg 8271 - 6/21/96
 -Expiration of Second Notice Period: 9/19/96

16. Special County Retailers' Occupation Tax for Public Safety (86 Ill Adm Code 670)
 -First Notice Published: 20 Ill Reg 8282 - 6/21/96
 -Expiration of Second Notice Period: 10/12/96

17. Special County Service Occupation Tax for Public Safety (86 Ill Adm Code 680)
 -First Notice Published: 20 Ill Reg 8290 - 6/21/96
 -Expiration of Second Notice Period: 10/12/96

State Police Merit Board

18. Procedures of the Department of State Police Merit Board (80 Ill Adm Code 150)
 -First Notice Published: 20 Ill Reg 8990 - 7/12/96
 -Expiration of Second Notice Period: 10/12/96

EMERGENCY & PEREMPTORY RULEMAKINGSChildren and Family Services

19. Licensing Standards for Day Care Centers (89 Ill Adm Code 407) (Emergency)
 -Notice Published: 20 Ill Reg 11366 - 8/16/96

Rehabilitation Services

20. Assessment for Determining Eligibility and Rehabilitation Needs (89 Ill Adm Code 553) (Emergency)
 -Notice Published: 20 Ill Reg 11974 - 8/30/96

EXEMPT RULEMAKINGSPollution Control Board

21. Hazardous Waste Management System: General (35 Ill Adm Code 720)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

22. Identification and Listing of Hazardous Waste (35 Ill Adm Code 721)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

23. Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill Adm Code 725)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

24. Land Disposal Restrictions (35 Ill Adm Code 728)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

25. RCRA and UIC Permit Programs (35 Ill Adm Code 702)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

26. RCRA Permit Program (35 Ill Adm Code 703)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

27. Standards Applicable to Generators of Hazardous Waste (35 Ill Adm Code 722)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

28. Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities (35 Ill Adm Code 724)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

29. Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities (35 Ill Adm Code 726)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

30. Standards for Universal Waste Management (35 Ill Adm Code 733)
-Proposed Date: 2/16/96
-Adopted Date: 8/16/96

31. Pretreatment Programs (35 Ill Adm Code 310)
-Proposed Date: 5/3/96
-Adopted Date: 8/9/96

EXPEDITED CORRECTION

32. Preferred Provider Program Administrators (50 Ill Adm Code 2051)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENCY RESPONSES

Secretary of State

33. Issuance of Licenses (92 Ill Adm Code 1030)

Rules acted upon during the quarter of July 1 through September 30, 1996 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 952 published in Issue 2 will be listed as 50-952-2. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatale@ccgate.sos.state.il.us (Internet address).

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INDEX DEPARTMENT
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SPRINGFIELD, IL 62756

